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ABSTRACT

This document presents texts in the field of sports and doping that were adopted by various committees of the Council of Europe. The seven sections present: (1) "Texts Adopted by the Committee of Ministers, 1996-1988"; (2) "Texts Adopted at the Conferences of European Ministers Responsible for Sport Since 1978" and "Informal Working Parties/Informal Meeting of European Ministers Responsible for Sport"; (3) "Texts Adopted by the Parliamentary Assembly of the Council of Europe"; (4) "Texts Adopted by the Congress of Local and Regional Authorities of Europe"; (5) "Texts Adopted by the Monitoring Group, 1994-1998"; (6) "Work of the Monitoring Group of the Anti-Doping Convention"; and (7) "Work of the Committee for the Development of Sport." (SM)

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THE COUNCIL OF EUROPE AND SPORT

1966-1998

VOLUME III

Texts of the Anti-Doping Convention

N. Borch-Jacobsen

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The Council of Europe and Sport 1966 - 1998

Volume III

Texts of the Anti-Doping Convention

Texts adopted by:

- **the Committee of Ministers,**
- **the Conferences and Informal Meetings of European Ministers responsible for sport,**
- **the Parliamentary Assembly,**
- **the Congress of Local and Regional Authorities of Europe**
- **the Monitoring Group of the Anti-Doping Convention**
- **the Committee for the Development of Sport**

in the field of doping.

Dates of accession to the Anti-doping Convention

Member states of the European Cultural Convention

AUSTRIA	10/07/91
BULGARIA	01/06/92
CROATIA	27/01/93
CYPRUS	02/02/94
CZECH REPUBLIC*	28/04/95
DENMARK*	16/11/89
ESTONIA	20/11/97
FINLAND	26/04/90
FRANCE	21/01/91
GERMANY	28/04/94
GREECE	06/03/96
HUNGARY*	29/01/90
ICELAND*	25/03/91
ITALY	12/02/96
LATVIA	23/01/97
LITHUANIA	17/05/96
LUXEMBOURG	21/06/96
NETHERLANDS	11/04/95
NORWAY*	16/11/89
POLAND	07/09/90
PORTUGAL	17/03/94
ROMANIA	07/12/98
RUSSIA	12/02/91
SAN-MARINO	31/01/90
SLOVAKIA*	06/05/93
SLOVENIA	02/07/92
SPAIN	20/05/92
SWEDEN	29/06/90
SWITZERLAND	05/11/92
"THE FORMER YUGOSLAV REPUBLIC OF MACEDONIA"	30/03/94
TURKEY	22/11/93
UNITED KINGDOM*	16/11/89

Non member states of the European Cultural Convention

AUSTRALIA	05/10/94
BOSNIA AND HERZEGOVINA	29/12/94
CANADA*	06/03/96

* Signature without reservation as to ratification

Contents

Part One

Texts adopted by the Committee of Ministers 1966 - 1988

Anti-doping Convention, 1989 ..... **13**

Resolution (67) 12 on the Doping of Athletes
(adopted by the Ministers' Deputies on 29 June 1967) 23

Resolution (70) 7 on the Medical Aspects of Sport
(adopted by the Ministers' Deputies on 7 March 1970) 24

Resolution (73) 27 on the Establishment of Sports Medicine Centres
(adopted by the Committee of Ministers on 26 October 1973) 26

Recommendation No. R (79) 8 of the Committee of Ministers to
Member states concerning Doping in Sport
(adopted by the Committee of Ministers on 20 April 1979) 33

Recommendation No. R (84) 19 of the Committee of Ministers to
Member states on the "European Anti-Doping Charter for Sport"
(adopted by the Committee of Ministers on 25 September 1984) 35

Recommendation No. R (88) 12 of the Committee of Ministers to
Member states on the Institution of Doping Controls without Warning
outside Competitions
(adopted by the Committee of Ministers on 21 June 1988) 37

Part Two

Texts adopted at the Conferences of European Ministers responsible for Sport since 1978

2nd Conference of European Ministers Responsible for Sport
(London, 4-7 April 1978)

Resolution No. 2/78 on Future European Co-operation 43
Resolution No. 3/78 on Ethical and Human Problems in Sport 43

4th Conference of European Ministers responsible for Sport
(Malta, 15-16 May 1984)

Resolution No. 1/84 on the European Anti-Doping Charter for Sport 45
Resolution No. 11/84 on Past and Future Work of the CDDS, 1981 to 1984,
and 1984 to 1986 45

5th Conference of European Ministers responsible for Sport
(Dublin, 30 September-2 October 1986)

Resolution No. 4/86 on Doping in Sport 45

6th Conference of European Ministers responsible for Sport
(Reykjavik, 30 May-1 June 1989)

Resolution No. 1/89 on Doping in sport and the draft Anti-Doping Convention 47
Resolution No. 6/89 on the Preservation of Ethical Values in Sport 48

Informal Working Parties / Informal Meeting of European Ministers Responsible for Sport

6th Meeting of the Working Party of European Ministers responsible for Sport
(Paris, 22 May 1978)
Press Communiqué 49

9th Meeting of the Working Party of European Ministers responsible for Sport
(Paris, 27 January 1983)
Press Communiqué 49

13th Informal meeting of European Ministers responsible for Sport
(Athens, 1-2 June 1988)
Press Communiqué 50

Ad hoc Informal meeting of European Ministers responsible for Sport
(Budapest, 17-18 April 1991)
Press Communiqué 52

15th Informal meeting of European Ministers responsible for Sport
(Nicosia, 14-15 May 1998)
Press Communiqué 53

Part Three

Texts adopted by the Parliamentary Assembly of the Council of Europe

Recommendation 1190 (1992) on European Sports co-operation 57

Part Four

Texts adopted by the Congress of Local and Regional Authorities of Europe

European Conference on Sport and Local Authorities
(Gödöllo, Hungary, 1-3 February 1996)

Final declaration – C. Sport and Health – Item 53 59

Part Five

Texts adopted by the Monitoring Group 1994 - 1998

Recommendation No. 1/94 on Standard Urine Sampling Procedures for Doping Control 65

Recommendation No. 2/94 on Measures to restrict the availability of Anabolic Steroids, etc. 65

Recommendation No. 1/95 on Standard Urine Sampling Procedures for Doping Control in and out of Competition 68

Recommendation No. 1/96 on disciplinary measures to be taken with regard to members of the athlete's entourage 82

Resolution No. 1/97 on the approval of a New Reference List of prohibited pharmacological classes of doping agents and doping methods 85

Recommendation No. 1/97 on disciplinary measures to be taken with regard to members of the athlete's entourage and protection of minors 86

Recommendation No. 1/98 on standard operating procedures at doping control laboratories [procedures for non-analytical phases] 90

Recommendation No. 2/98 on basic principles for disciplinary phases of doping control 96

Recommendation No. 3/98 on blood sampling for doping medical controls 101

Part Six

Work of the Monitoring Group of the Anti-Doping Convention

Summary of the report of the 1st meeting of the Monitoring Group (1990) 107

Summary of the report of the 2nd meeting of the Monitoring Group (1991) 107

Summary of the report of the 3rd meeting of the Monitoring Group (1992) 107

Summary of the report of the 4th meeting of the Monitoring Group (1993) 108

Summary of the report of the 5th meeting of the Monitoring Group (1994) 108

Summary of the report of the 6th meeting of the Monitoring Group (1995) 110

Table of contents of the "Europack" Guide 111

Summary of the report of the 7th meeting of the Monitoring Group (1996) 112

Summary of the report of the 8th meeting of the Monitoring Group (1997) 116

Summary of the report of the 9th meeting of the Monitoring Group (1998) 120

Summary of the report of the Extraordinary meeting of the Monitoring Group (1998) 122

Press communiqué 124

Conclusions of the Extraordinary meeting of the Monitoring Group (1998) 125

Press communiqué 127

Part Seven

Work of the Committee for the Development of Sport

Seminar on Education against doping
(Vienna, Austria, 1990) 131

Sprint Seminar on Topical Problems of Anti-doping Policy
(Prague, Czech Republic, 8-10 November 1996) 135

Sprint Doping Seminar Topical Problems of Doping Control Patterns and Analysis
(Madrid, Spain, 18-20 September 1997) 137

Sprint Seminar on Sport and the Law
(Rome, Italy, 29-31 October 1997) 139

Sprint Seminar on Anti-doping Policies
(Sofia, Bulgaria, 8-10 October 1998) 140

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See also our internet site http://culture.coe.fr

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Volume I Legal and Political texts
Volume II Work of the Committee for the Development of Sport
Volume IV Texts on Spectator Violence

are also available from the Sports Division, Council of Europe, F- 67075 STRASBOURG CEDEX
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Part One

Texts adopted by the Committee of Ministers

Convention, Recommendations and Resolutions

Anti-doping Convention (ETS 135)

The member states of the Council of Europe, the other states party to the European Cultural Convention, and other states, signatory hereto,

Considering that the aim of the Council of Europe is to achieve a greater unity between its members for the purpose of safeguarding and realising the ideals and principles which are their common heritage and facilitating their economic and social progress;

Conscious that sport should play an important role in the protection of health, in moral and physical education and in promoting international understanding;

Concerned by the growing use of doping agents and methods by sportsmen and sportswomen throughout sport and the consequences thereof for the health of participants and the future of sport;

Mindful that this problem puts at risk the ethical principles and educational values embodied in the Olympic Charter, in the International Charter for Sport and Physical Education of Unesco and in Resolution (76) 41 of the Committee of Ministers of the Council of Europe, known as the "European Sport for All Charter";

Bearing in mind the anti-doping regulations, policies and declarations adopted by the international sports organisations;

Aware that public authorities and the voluntary sports organisations have complementary responsibilities to combat doping in sport, notably to ensure the proper conduct, on the basis of the principle of fair play, of sports events and to protect the health of those that take part in them;

Recognising that these authorities and organisations must work together for these purposes at all appropriate levels;

Recalling the resolutions on doping adopted by the Conference of European Ministers responsible for Sport, and in particular Resolution No. 1 adopted at the 6th Conference at Reykjavik in 1989;

Recalling that the Committee of Ministers of the Council of Europe has already adopted Resolution (67) 12 on the doping of athletes, Recommendation No. R (79) 8 on doping in sport, Recommendation No. R (84) 19 on the "European Anti-Doping Charter for Sport", and Recommendation No. R (88) 12 on the institution of doping controls without warning outside competitions;

Recalling Recommendation No. 5 on doping adopted by the 2nd International Conference of Ministers and Senior Officials responsible for Sport and Physical Education organised by Unesco at Moscow (1988);

Determined however to take further and stronger co-operative action aimed at the reduction and eventual elimination of doping in sport using as a basis the ethical values and practical measures contained in those instruments,

Have agreed as follows:

Article 1
Aim of the Convention

The Parties, with a view to the reduction and eventual elimination of doping in sport, undertake, within the limits of their respective constitutional provisions, to take the steps necessary to apply the provisions of this Convention.

Article 2
Definition and scope of the Convention

1. For the purposes of this Convention:

   a. "doping in sport" means the administration to sportsmen or sportswomen, or the use by them, of pharmacological classes of doping agents or doping methods;

   b. "pharmacological classes of doping agents or doping methods" means, subject to paragraph 2 below, those classes of doping agents or doping methods banned by the relevant international sports organisations and appearing in lists that have been approved by the Monitoring Group under the terms of Article 11.1.b;

   c. "sportsmen and sportswomen" means those persons who participate regularly in organised sports activities.

2. Until such time as a list of banned pharmacological classes of doping agents and doping methods is approved by the Monitoring Group under the terms of Article 11.1.b, the reference list in the appendix to this Convention shall apply.

Article 3
Domestic co-ordination

1. The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.

2. They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.

Article 4
Measures to restrict the availability and use of banned doping agents and methods

1. The Parties shall adopt, where appropriate, legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods and in particular anabolic steroids.

2. To this end, the Parties or, where appropriate, the relevant non-governmental organisations shall make it a criterion for the grant of public subsidies to sports organisations that they effectively apply anti-doping regulations.

3. Furthermore, the Parties shall:

   a. assist their sports organisations to finance doping controls and analyses, either by direct subsidies or grants, or by recognising the costs of such controls and analyses when determining the overall subsidies or grants to be awarded to those organisations;

   b. take appropriate steps to withhold the grant of subsidies from public funds, for training purposes, to individual sportsmen and sportswomen who have been suspended following a doping offence in sport, during the period of their suspension;

   c. encourage and, where appropriate, facilitate the carrying out by their sports organisations of the doping controls required by the competent international sports organisations whether during or outside competitions; and

   d. encourage and facilitate the negotiation by sports organisations of agreements permitting their members to be tested by duly authorised doping control teams in other countries.

4. Parties reserve the right to adopt anti-doping regulations and to organise doping controls on their own initiative and on their own responsibility, provided that they are compatible with the relevant principles of this Convention.

Article 5
Laboratories

1. Each Party undertakes:

   a. either to establish or facilitate the establishment on its territory of one or more doping control laboratories suitable for consideration for accreditation under the criteria adopted by the relevant international sports organisations and approved by the Monitoring Group under the terms of Article 11.1.b;

   b. or to assist its sports organisations to gain access to such a laboratory on the territory of another Party.

2. These laboratories shall be encouraged to:

   a. take appropriate action to employ and retain, train and retrain qualified staff;

   b. undertake appropriate programmes of research and development into doping agents and methods used, or thought to be used, for the purposes of doping in sport and into analytical biochemistry and pharmacology with a view to obtaining a better understanding of the effects of various substances upon the human body and their consequences for athletic performance;

   c. publish and circulate promptly new data from their research.

Article 6
Education

1. The Parties undertake to devise and implement, where appropriate in co-operation with the sports organisations concerned and the mass media, educational programmes and information campaigns emphasising the dangers to health inherent in doping and its harm to the ethical values of sport. Such programmes and campaigns shall be directed at both young people in schools and sports clubs and their parents, and at adult sportsmen and sportswomen, sports officials, coaches and trainers. For those involved in medicine, such educational programmes will emphasise respect for medical ethics.

2. The Parties undertake to encourage and promote research, in co-operation with the regional, national and international sports organisations concerned, into ways and means of devising scientifically-based physiological and psychological training programmes that respect the integrity of the human person.

Article 7
Co-operation with sports organisations on measures to be taken by them

1. The Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport.

2. To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their:

   a. anti-doping regulations on the basis of the regulations agreed by the relevant international sports organisations;

   b. lists of banned pharmacological classes of doping agents and banned doping methods, on the basis of the lists agreed by the relevant international sports organisations;

   c. doping control procedures;

   d. disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:

      i. the reporting and disciplinary bodies to be distinct from one another;
      ii. the right of such persons to a fair hearing and to be assisted or represented;
      iii. clear and enforceable provisions for appealing against any judgement made;

   e. procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;

   f. procedures for the mutual recognition of suspensions and other penalties imposed by other sports organisations in the same or other countries.

3. Moreover, the Parties shall encourage their sports organisations:

   a. to introduce, on an effective scale, doping controls not only at, but also without advance warning at any appropriate time outside, competitions, such controls to be conducted in a way which is equitable for all sportsmen and sportswomen and which include testing and retesting of persons selected, where appropriate, on a random basis;

   b. to negotiate agreements with sports organisations of other countries permitting a sportsman or sportswoman training in another country to be tested by a duly authorised doping control team of that country;

   c. to clarify and harmonise regulations on eligibility to take part in sports events which will include anti-doping criteria;

   d. to promote active participation by sportsmen and sportswomen themselves in the anti-doping work of international sports organisations;

   e. to make full and efficient use of the facilities available for doping analysis at the laboratories provided for by Article 5, both during and outside sports competitions;

   f. to study scientific training methods and to devise guidelines to protect sportsmen and sportswomen of all ages appropriate for each sport.

Article 8
International co-operation

1. The Parties shall co-operate closely on the matters covered by this Convention and shall encourage similar co-operation amongst their sports organisations.

2. The Parties undertake:

   a. to encourage their sports organisations to operate in a manner that promotes application of the provisions of this Convention within all the appropriate international sports organisations to which they are affiliated, including the refusal to ratify claims for world or regional records unless accompanied by an authenticated negative doping control report;

   b. to promote co-operation between the staffs of their doping control laboratories established or operating in pursuance of Article 5;

   c. to initiate bilateral and multilateral co-operation between their appropriate agencies, authorities and organisations in order to achieve, at the international level as well, the purposes set out in Article 4.1.

3. The Parties with laboratories established or operating in pursuance of Article 5 undertake to assist other Parties to enable them to acquire the experience, skills and techniques necessary to establish their own laboratories.

Article 9
Provision of information

Each Party shall forward to the Secretary General of the Council of Europe, in one of the official languages of the Council of Europe, all relevant information concerning legislative and other measures taken by it for the purpose of complying with the terms of this Convention.

Article 10
Monitoring Group

1. For the purposes of this Convention, a Monitoring Group is hereby set up.

2. Any Party may be represented on the Monitoring Group by one or more delegates. Each Party shall have one vote.

3. Any state mentioned in Article 14.1 which is not a Party to this Convention may be represented on the Monitoring Group by an observer.

4. The Monitoring Group may, by unanimous decision, invite any non-member state of the Council of Europe which is not a Party to the Convention and any sports or other professional organisation concerned to be represented by an observer at one or more of its meetings.

5. The Monitoring Group shall be convened by the Secretary General. Its first meeting shall be held as soon as reasonably practicable, and in any case within one year after the date of the entry into force of the Convention. It shall subsequently meet whenever necessary, on the initiative of the Secretary General or a Party.

6. A majority of the Parties shall constitute a quorum for holding a meeting of the Monitoring Group.

7. The Monitoring Group shall meet in private.

8. Subject to the provisions of this Convention, the Monitoring Group shall draw up and adopt by consensus its own Rules of Procedure.

Article 11

1 The Monitoring Group shall monitor the application of this Convention. It may in particular:

   a. keep under review the provisions of this Convention and examine any modifications necessary;

   b. approve the list, and any revision thereto, of pharmacological classes of doping agents and doping methods banned by the relevant international sports organisations, referred to in Articles 2.1 and 2.2, and the criteria for accreditation of laboratories, and any revision thereto, adopted by the said organisations, referred to in Article 5.1.a, and fix the date for the relevant decisions to enter into force;

   c. hold consultations with relevant sports organisations;

d. make recommendations to the Parties concerning measures to be taken for the purposes of this Convention;

e. recommend the appropriate measures to keep relevant international organisations and the public informed about the activities undertaken within the framework of this Convention;

f. make recommendations to the Committee of Ministers concerning non-member states of the Council of Europe to be invited to accede to this Convention;

g. make any proposal for improving the effectiveness of this Convention.

2. In order to discharge its functions, the Monitoring Group may, on its own initiative, arrange for meetings of groups of experts.

Article 12

After each meeting, the Monitoring Group shall forward to the Committee of Ministers of the Council of Europe a report on its work and on the functioning of the Convention.

Article 13

Amendments to the articles of the Convention

1. Amendments to the articles of this Convention may be proposed by a party, the Committee of Ministers of the Council of Europe or the Monitoring Group.

2. Any proposal for amendment shall be communicated by the Secretary General of the Council of Europe to the states mentioned in Article 14 and to every state which has acceded to or has been invited to accede to this Convention in accordance with the provisions of Article 16.

3. Any amendment proposed by a Party or the Committee of Ministers shall be communicated to the Monitoring Group at least two months before the meeting at which it is to be considered. The Monitoring Group shall submit to the Committee of Ministers its opinion on the proposed amendment, where appropriate after consultation with the relevant sports organisations.

4. The Committee of Ministers shall consider the proposed amendment and any opinion submitted by the Monitoring Group and may adopt the amendment.

5. The text of any amendment adopted by the Committee of Ministers in accordance with paragraph 4 of this article shall be forwarded to the Parties for acceptance.

6. Any amendment adopted in accordance with paragraph 4 of this article shall come into force on the first day of the month following the expiration of a period of one month after all Parties have informed the Secretary General of their acceptance thereof.

Final clauses

Article 14

1. This Convention shall be open for signature by member states of the Council of Europe, other states party to the European Cultural Convention and non-member states which have participated in the elaboration of this Convention, which may express their consent to be bound by:

   a. signature without reservation as to ratification, acceptance or approval, or

   b. signature subject to ratification, acceptance or approval, followed by ratification, acceptance or approval.

2. Instruments of ratification, acceptance or approval shall be deposited with the Secretary General of the Council of Europe.

Article 15

1. The Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date on which five states, including at least four member states of the Council of Europe, have expressed their consent to be bound by the Convention in accordance with the provisions of Article 14.

2. In respect of any signatory state which subsequently expresses its consent to be bound by it, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of signature or of the deposit of the instrument of ratification, acceptance or approval.

Article 16

1. After the entry into force of this Convention, the Committee of Ministers of the Council of Europe, after consulting the Parties, may invite to accede to the Convention any non-member State by a decision taken by the majority provided for in Article 20d of the Statute of the Council of Europe and by the unanimous vote of the representatives of the contracting states entitled to sit on the Committee.

2. In respect of any acceding state, the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of the deposit of the instrument of accession with the Secretary General of the Council of Europe.

Article 17

1. Any state may, at the time of signature or when depositing its instrument of ratification, acceptance, approval or accession, specify the territory or territories to which this Convention shall apply.

2. Any state may, at any later date, by a declaration addressed to the Secretary General, extend the application of this Convention to any other territory specified in the declaration. In respect of

such territory the Convention shall enter into force on the first day of the month following the expiration of a period of one month after the date of receipt of such declaration by the Secretary General.

3. Any declaration made under the two preceding paragraphs may, in respect of any territory mentioned in such declaration, be withdrawn by a notification addressed to the Secretary General. Such withdrawal shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 18

1. Any Party may, at any time, denounce this Convention by means of a notification addressed to the Secretary General of the Council of Europe.

2. Such denunciation shall become effective on the first day of the month following the expiration of a period of six months after the date of receipt of the notification by the Secretary General.

Article 19

The Secretary General of the Council of Europe shall notify the Parties, the other member states of the Council of Europe, the other States party to the European Cultural Convention, the non-member states which have participated in the elaboration of this Convention and any state which has acceded or has been invited to accede to it of:

a. any signature in accordance with Article 14;

b. the deposit of any instrument of ratification, acceptance, approval or accession in accordance with Article 14 or 16;

c. any date of entry into force of this Convention in accordance with Articles 15 and 16;

d. any information forwarded under the provisions of Article 9;

e. any report prepared in pursuance of the provisions of Article 12;

f. any proposal for amendment or any amendment adopted in accordance with Article 13 and the date on which the amendment comes into force;

g. any declaration made under the provisions of Article 17;

h. any notification made under the provisions of Article 18 and the date on which the denunciation takes effect;

i. any other act, notification or communication relating to this Convention.

In witness whereof the undersigned, being duly authorised thereto, have signed this Convention.

Done at Strasbourg, the 16th day of November 1989, in English and French, both texts being equally authentic, in a single copy which shall be deposited in the archives of the Council of Europe.

The Secretary General of the Council of Europe shall transmit certified copies to each member state of the Council of Europe, to the other States party to the European Cultural Convention, to the non-member states which have participated in the elaboration of this Convention and to any state invited to accede to it.

The Appendix to the Anti-doping Convention, the "Reference list of pharmacological classes of doping agents and doping methods", adopted at the same time as the Convention (1989) is not reproduced in this Volume, as it is out-of-date. The current list approved by the Monitoring Group is regularly updated and can be found on the Council of Europe's homepage on Sport: http://culture.coe.fr

Resolution (67) 12 on the Doping of Athletes
(adopted by the Ministers' Deputies on 29 June 1967)

The Committee of Ministers of the Council of Europe,

Considering that the aim of the Council of Europe is to achieve greater unity among its members for the purpose of safeguarding and promoting the ideals and principles which are their common heritage and of facilitating their economic and social progress;

Considering that sports activities now play an important role in the protection of health, in moral and physical training and in promoting international understanding;

Considering that the influence of sport on young people and adults has grown considerably as a result of modern information media and travel facilities;

Having regard to the value of the example set by champions and their behaviour, as well as their prestige in the eyes of most young people and many adults;

Considering the increasingly evil effects of certain practices known as "doping" which jeopardise the health and dignity of those who resort to it and offend against the spirit of fair play essential to all sports;

Considering that doping is the administration to or the use by a healthy person, in any manner whatsoever, of agents foreign to the organism, or of physiological substances in excessive quantities or introduced by an abnormal channel, with the sole purpose of affecting artificially and by unfair means the performance of such a person when taking part in a competition,

A. Recommends the governments of member states:

1. to persuade the sports associations and federations which organise competitions in their territory to take action if necessary with their international federations and, if they have not already done so, to issue regulations:

   a. condemning the use, or procedures to facilitate the use, in preparation for or during a sports competition, of the substances or processes employed for doping as defined in the Preamble to this Recommendation;

   b. penalising offenders by prohibiting them, temporarily or permanently, from taking part in, organising or acting in an official capacity at any sports competition;

   c. applying the regulations to any person who, in another member State, has been penalised in accordance with the provisions of paragraph b. above;

2. to take the appropriate measures at their disposal to achieve the objectives set forth in paragraph 1 above, if the regulations referred to in that paragraph have not, within three years from the date of this recommendation, been issued or effectively applied;

B. Invites the governments of member states to keep it informed of action taken by them to implement this recommendation.

Resolution (70) 7 on the Medical Aspects of Sport
(adopted by the Ministers' Deputies on 7 March 1970)

The Committee of Ministers,

Considering that the aim of the Council of Europe is to bring about a closer union between its Members by means, *inter alia*, of the adoption of common regulations in the social field;

Considering that the World Health Organisation defines health as a state of complete physical, mental and social well-being and aims at the attainment by all people of the highest possible level of health;

Considering that sports activities are beneficial not only for the development of personality but also for the attainment of good health as defined above;

A. Addresses the following recommendations to the governments of member states;

B. Invites the governments of the member states to inform it at the end of five years of action taken in application of this resolution.

I. SPORTS CURRICULA IN SCHOOLS

1. Physical education should be a part of every school curriculum.

2. Physical education should be given two or three times a week with a minimum of three hours per week. Where possible an hour a day of physical education could be given in primary and secondary schools.

3. After consultation where necessary with the family doctor, school doctors should see that the physical education of each child is adapted to his condition. It is important that pupils with a permanent or mental handicap and delicate children take part in as many physical activities as possible.

4. School doctors should co-operate as far as possible with physical education instructors in order to advise the pupils under their supervision on any health problems connected with their participation in all sport activities.

5. In out-of-school competitive sports, primary emphasis should be placed on the physical and mental health of the pupil, including the development of his character, rather than on his performance or on the interest of the sports club.

   With a view to avoiding the possible detrimental effects of over-training it is desirable that the headmaster be informed of students' participation in out-of-school competitive sports.

II. PARTICIPATION IN COMPETITIVE SPORT AND MEDICAL EXAMINATIONS

1. a. Younger age groups

   Too intensive strenuous training should be avoided for younger age groups until their bones are fully grown, for example, eighteen to twenty years.

Competitive sports which cause overloading of the respiratory, cardiovascular and neuro-muscular systems should be excluded, in the case of girls, before the ages of eleven to thirteen and, in the case of boys, before the ages of twelve to fourteen.

b. Older age groups

Stress should be laid on the value of physical activity rather than on competitive sport. At older ages strenuous competitive sport should be avoided, especially if there has been no great physical activity in the preceding years.

2. The load of the training programme and of the competition should be adapted to the age of the very young and older sportsman.

3. Whenever possible, it would be advisable to have for the very young age groups specially educated teachers for sports in school and specially educated trainers and coaches for competitive sport out of school.

4. There should be adequate medical instruction in the training courses for coaches and trainers.

5. Every boy or girl who takes part in competitive sport may have a medical examination as frequently as parents, doctors, trainers or coaches think it is necessary. The frequency depends also on the kind of sport and the intensity of the competition or training programme.

6. Where a school child is engaged in competitive sports there should be a special medical card introduced for him and kept as long as he continues with competitive sports activities.

7. Facilities need to be provided whereby medical examinations can be arranged for persons engaged in strenuous competitive sports activities.

III BIOLOGICAL AND PSYCHOLOGICAL ASSESSMENT OF APTITUDE FOR DIFFERENT SPORTS

1. It is desirable that government support is given to establish laboratory and sports medical units which are necessary in order to carry out the modern functional tests related to sport.

2. These units should be supplied with adequate equipment and trained personnel.

3. Research related to the application of biological and psychological tests for sports purposes should be encouraged.

IV TRAINING OF EXPERTS IN SPORTS MEDICINE AND ESTABLISHMENT OF SPORTS MEDICINE CENTRES

1. Encouragement of physical and sports activities should be the task of every government. Planning and execution of this task demands expert medical say in these matters.

2. There is a need for physicians with special training in sports medicine and the qualifications of the experts in this field, both full-time and part-time, should be specified and their training established, with courses leading to a recognised diploma.

3. Consideration should be given to the possibility of establishing a national sports centre for research, training and reference in countries where they do not exist.

4. Co-operation between national centres should be encouraged.

V HEALTH AND HYGIENE PROBLEMS AFFECTING SPORTS ACTIVITIES

1. Anti-doping measures envisaged by Resolution (67) 12 should not only be enforced, but should also be reinforced through health education.

2. Sports activities call for a discipline of life which provides an excellent opportunity for health education. Such education should be directed not only at all people active in sport, but also at instructors, trainers, sport organisers and parents and should include personal hygiene and its behavioural components.

3. The authorities should provide sufficient sports grounds and installations for the needs of the people, readily available to all at low prices.

   The health control of such establishments should be placed under the competent health authorities.

4. An exchange of doctors and other personnel between countries should be encouraged in order to increase their knowledge of sports medicine. Medical fellowships in this field should be made available by governments and the various international organisations concerned, as is already the case within the framework of the Medical Fellowships Programme of the Council of Europe.

Resolution (73) 27 on the Establishment of Sports Medicine Centres
(adopted by the Committee of Ministers on 26 October 1973)

The Committee of Ministers,

Considering that the aim of the Council of Europe is to achieve a greater unity between its Members and that this aim may be pursued, inter alia, by the adoption of common regulations in the social field and particularly in the public health field;

Noting that the World Health Organisation defines health as a state of complete physical, mental and social well-being and aims at the attainment by all people of the highest possible level of health;

Considering that sports activities are beneficial not only for the development of personality but also for the attainment of good health as defined above, the improvement of physical qualities, greater personal fulfilment, a better and more wholesome use of leisure and the improvement of the quality of life;

Considering also that sports and physical activities must not be the exclusive preserve of certain age groups and special categories of persons such as selected athletes, and that they should be available not only as physical education as part of every school curriculum but also, and particularly, to the general public in the framework of the "Sport for All" concept;

Considering also that, if they are to be fully beneficial, these activities require medical supervision and well-equipped sports installations, since sporting activities carried out in poor conditions may have harmful consequences;

Recognising the need to provide medical supervision for individuals and the general public, in order to ensure maximum benefit for the health of all persons engaging or wishing to engage in competitive or recreational sports

I. Recommends that the governments of member states:

A. encourage practice, teaching and research in the field of sports medicine;

B. encourage or propose measures in the fields of physical, health and safety education to advertise sports and other suitable physical activities for their beneficial effects on health, and in educational measures take account of the advisability of undergoing a medical examination before engaging in such activities, especially in the case of "Sport for All" movements and veteran athletes who wish to resume competitive sport after a period of inactivity;

C. encourage the inclusion in the curricula of physical education and sports training centres of instruction in sports medicine, especially with regard to developmental and exercise physiology and first-aid treatment for sports injuries;

D. encourage the establishment of sports medicine centres where the need exists, and the resources are available, according to the individual conditions in member states, taking into account the definitions given in Appendix A and the principles set out in Appendix B and Appendix C;

E. make use, in establishing such centres, of the existing means for the exchange of personnel and information between the member states of the Council of Europe;

II. Invites the governments of member states to inform the Secretary General of the Council of Europe every five years of the action taken by them in respect of this resolution.

Appendix A
Definitions

The definitions below were drawn up for the purposes of this resolution.

1. Sports medicine

Application of the art and science of medicine from a preventive and therapeutic point of view to the practice of sports and physical activities in order to utilise the opportunities afforded by sport for maintaining or improving health and to avoid possible dangers.

2. Sports medicine centre

A unit (not necessarily geographical but rather functional) to provide medical supervision in all branches of sport.

3. Aims and objectives of sports medicine centres

The best possible health of all persons taking part in sports or physical activities, making the best possible use of sport and promoting the adoption of healthy attitudes which afford effective prevention of the diseases of modern civilisation.

Appendix B
Functions of sports medicine centres

Sports medicine centres should be staffed and equipped in order to discharge:

1. Preventive medical functions

   a. in assessing the state of health of the individual in order to establish his capacity and be directed to suitable activities (sports for the more gifted, courses of appropriate instruction or treatment for the others);

   b. in medical supervision and training of people engaged in sports or other physical activities, particularly children and those taking part in high-level competitive sport, to enable them to attain the desired performance without endangering their health;

   c. in medical use of physical activities to gain, conserve and improve health at the level of "Sport for All" and to guard against possible hazards;

   d. in participating in the planning and control of hygiene and safety precautions for all types of sports installations, these functions being performed in conjunction with other experts and responsible authorities.

2. Therapeutic functions

   a. by employing techniques in the field of traumatology and internal and physical medicine for the treatment and functional rehabilitation of athletes to enable them to resume training as soon as appropriate;

   b. by contributing to the adjustment and rehabilitation of the physically and mentally handicapped.

3. Instruction and health education functions

   a. through the training of sports doctors;
   b. through the information of doctors in general;
   c. through contributions to the training and information of sports instructors and coaches;
   d. through the health education of the public by:

      i. lectures arranged for particular age groups or categories of persons explaining how to derive full benefit from the exercise of a sport and how to avoid the risks of specific kinds of sports;

      ii. advice and guidance to teachers, coaches etc in matters of health education pertaining to the various kinds of sports and related problems such as nutrition, medication, use of leisure time etc;

      iii. close collaboration with bodies responsible for health education to advertise sport as a means of acquiring, conserving and improving physical and mental health and improving the quality of life in general.

4. Basic and applied sports medicine research

   - particularly directed to studying the effects of sports and other physical activities on the health and well-being of different age and population groups and to studying the most suitable means of practising and supervising sports and physical activities in order to obtain the best results. Special emphasis should be laid on the standardisation of tests and measurements, and on the collection and processing of data at national and international level.

Appendix C
Organisation and equipment of sports medicine centres

In regard to this resolution and those adopted previously, Resolution (70) 7 on the Medical Aspects of Sport, and Resolution (72) 30 on Hygiene of Sports Installations, sports medicine services should be made available to individuals and associations by the medical profession, the public health and school health services, and by sports medicine centres.

There should be at least one (national) sports medicine centre in every member state.

In organising national and/or regional sports medicine centres, consideration should be given to attaching new institutions to colleges and universities where there will be access to laboratories, specialists and hospital facilities.

Likewise, in using and regrouping existing resources, functional units working as sports medicine centres could be envisaged.

A. National sports medicine centres

A.I. The functions of national sports medicine centres could be seen as

- the provision of medical services in the broadest sense for the purposes of sport;
- teaching;
- research.

A.II. Suggested requirements for a national sports medicine centre

1. Accommodation: waiting rooms, reception, secretariat with the necessary equipment and facilities, changing rooms and examination rooms.

   These premises should be designed in such a way that several doctors can work together easily as a team.

2. Medical services

   The premises should be designed for rational operation to provide for

   a. diagnosis and assessment of aptitude for physical performance;
   b. treatment of disorders and injuries caused by sports;
   c. rehabilitation.

a. Diagnosis

i. Heart, lung, circulatory and pulmonary functions laboratory: spiro-ergometer with small testing station for continuous recording of pulse, blood pressure and electrocardiograph readings under strain. Single, triple and sextuple direct tracers should be available to record these figures, so that further heart and circulation factors, such as heartbeat, arterial pulse etc., may be recorded simultaneously. Telemetric equipment, especially for training control.

ii. Radiographic and radioscopic laboratory: suitable equipment for general and special X-ray examinations, for example determination of heart volume, tele-radiography, large X-ray kymograph, for example, for observation of circulation. Radiographic and radioscopic equipment for at least minor casualties, for example, portable X-ray apparatus with universal stand, mainly for first-aid purposes.

iii. Clinical and biochemical laboratory: equipped to conduct not only routine urine and blood tests but also modern enzyme testing, also including electrophoresis and gas chromatography apparatus (doping tests).

iv. Anthropometric, dynamometric, audiometric and optometric equipment.

b. Treatment

- Equipment and facilities for first-aid and traumatological treatment of sports injuries, to be provided in a special department.
- Mobile and portable emergency instrumentation and apparatus.
- Transportation facilities.
- Equipment for the treatment of various other minor disorders.
- Equipment and facilities for physio-, kinesi-, electro- and hydrotherapy.

c. Rehabilitation

Equipment such as:

- bicycle ergometer for exercise therapy;
- rowing apparatus with sliding seat;
- wall pulleys adjustable for height and tension;
- several sets of mobile exercise apparatus with variable pushing and pulling tension;
- special sport gyroscope, special rollers for foot exercises, and miscellaneous apparatus for gymnastics and play therapy such as hoops, balls, staffs, rings etc.

3. Teaching

Proper training facilities with modern equipment and teaching aids, including well-equipped classrooms and lecture rooms:

- suitable wall charts, skeletons, anatomical models;
- slides and educational films;
- dressings;
- dummies, automatic recording etc., for demonstrating and practising various types of medical procedures, cardiac massage and artificial respiration.

Instruction should be directed primarily to the training of sports doctors, medical students, paramedical personnel, coaches and physical training and sports teachers. A national sports medicine centre could play a key part in the biomedical side of physical education and further training courses. This could be coupled with sports medicine training for medical students during their studies (lectures or practical work on sports medicine and the physiology of sporting performance), refresher training for sports doctors, as well as appropriate lectures on the training of coaches.

4. Research

   a. Equipment should be geared to the specific branch of research (for instance, research in biomechanics calls for special apparatus for measuring forces, pressures, acceleration and velocity, partly with telemetric and cinematographic equipment).

   b. Documentation, information and statistics for sports medicine. Documentation section with sports literature, magazine collections, collections of offprints and possibly a file on sports facilities; access to electronic data processing devices.

   c. Translation service.

   d. Sports medicine library.

   e. Technical services with the following equipment:

      - universal reproduction equipment in conjunction with a miniature (35 mm) camera;
      - microfilming equipment;
      - microfilm reader, equipped with projection facilities for a large group of readers, and for the reproduction of readable large-size prints;
      - universal enlarger;
      - photocopying equipment;
      - paper and film cutting devices;
      - equipment for binding notebooks, periodicals and books.

   f. Workshop.

B. Other sports medicine centres

Other sports medicine centres may be established on the basis of regional or local demands as regional and/or local sports medicine centres.

B.I. The functions of those centres may be seen on three operational levels:

1. the original function of preventive sports medicine (that is, to establish that the practice of competitive sports is not contra-indicated) and medical supervision of training;
2. therapeutic and emergency measures;
3. health education functions.

All these functions (1 to 3) are listed in Appendix B.

At all events, minimum equipment should always be provided for the purpose of medical aptitude tests.

It should be stressed that the value of check-ups for those who undergo them lies in the information and safeguards they thereby acquire, including a better knowledge of themselves. The relationship between physical condition and training is of direct concern to the athlete, and opens up a dialogue with the athlete and trainer which goes beyond the preventive stage into the realm of health education.

If local and regional sports medicine centres are established, the local centres should concentrate their efforts mainly on:

a. preventive medicine in all its aspects (covered under 1a. and b. in Appendix B);
b. diagnosis of the commonest disorders;
c. possibility of consulting specialists and laboratories;
d. co-operation of sports physicians, physicians in general practice, coaches, physical education instructors and teachers, for the mutual exchange of information on basic health education.

The regional centres should concern themselves in addition with:

a. basic therapy and rehabilitation methods;
b. training and information for doctors, teachers, trainers, coaches and the general public;
c. (where possible) research activities.

Regional sports medicine centres might either:

- comprise all the services and specialised equipment needed or,
- be more rudimentary in structure but have links with laboratories or specialised hospital departments, so that all types of sports medicine, preventive sports medicine, training supervision and treatment could be carried out in these centres.

B.II Suggested requirements for sports medicine centres other than national centres.

In addition to the usual offices, waiting room, changing room, WC and examination room, there should be a first-aid and resuscitation room.

In premises for routine sports medicine and special check-ups, an X-ray room is indispensable, and a small laboratory an asset.

1. Equipment for diagnosis and assessment of aptitude for physical exertion:

a. equipment for routine biological checks;
b. radiographic and radioscopic apparatus;
c. electrocardiograph (whether or not transistorised) single, triple or sextuple tracing and phonocardiography;
d. telemeter;
e. spiroergometer suited to the size and requirements of the institute and, if possible, equipment for blood gas analysis;
f. clinical laboratory for urine and blood tests and, if possible, also for enzyme analyses;
g. audiometric and optometric equipment.

2. Treatment facilities and equipment

One or two medium-sized rooms with changing cabins should be enough for treatment purposes:

a. equipment for first-aid and resuscitation;
b. sets of instruments for traumatology;
c. portable sets of surgical instruments;
d. well-equipped first-aid outfits for emergencies.

Provision should also be made for extremely rapid transport facilities.

Likewise, there should be a library with a selection of reference works appropriate to the requirements and special purposes of the centre.

Recommendation No. R (79) 8 of the Committee of Ministers to Member states concerning Doping in Sport

(adopted by the Committee of Ministers on 20 April 1979)

The Committee of Ministers, under the terms of Article 15*b* of the Statute of the Council of Europe,

Affirming that its Resolution (67) 12 on "Doping of athletes" remains a valid condemnation of the harm caused by the use of doping agents to the ethical and moral values of sport and to human dignity;

Recalling its Resolution (76) 41 on the "Principles for a policy of sport for all" (the "European Sport for All Charter") and in particular Article 5, which states that "methods should be sought to safeguard sport and sportsmen from exploitation for political, commercial or financial gain and from practices that are abusive and debasing, including the unfair use of drugs";

Considering that many of the problems raised by the taking of illicit substances for the purpose of artificially improving sporting performances are still unresolved, and that in some respects this evil practice has become more widespread since the adoption of Resolution (67) 12;

Bearing in mind the resolution on doping and health adopted at the 2nd Conference of European Ministers responsible for Sport at London in 1978, and that some member states have enacted national legislation forbidding the use of doping agents in sport;

Considering that the member states of the Council of Europe should take a lead in combating the problems of doping in sport, and that governments and the voluntary bodies of sport should work together to this end;

Recommends the governments of member states:

1. to give all the support in their power to the governing bodies of sport, athletes and all those associated with sport in their efforts to eradicate doping (as defined in Resolution (67) 12) in sport and to encourage them to take the steps necessary for the simplification and harmonisation of the various anti-doping regulations adopted by the sports federations;

2. to develop, in co-ordination with the governing bodies of sport, an educational campaign pointing out both to athletes and to coaches, directors and other people involved, the risks

involved in using or advocating the use of doping agents, in particular that many such agents present serious long-term dangers to health; that their use does not always result in an improvement of performance; and that the way to success is not the use of doping agents but rather the development of each individual's personal qualities of character, physique and mind;

3. to set up systems for the control of the use of artificial stimulants in sport and to this end:

   a. to encourage the development and testing, in laboratories, of effective methods for detecting the use of illicit substances in sport, and in particular those substances the use of which is forbidden either by the international governing bodies of sport or by national legislation in those countries where such legislation exists;

   b. to increase their contribution to European co-operation in research into doping, and in particular into the detection and control of new substances capable of being used for the purpose of doping in sport;

   c. to encourage as a priority the creation of suitable laboratories for the comprehensive testing and control of sportsmen, and in particular:

      - to ensure by whatever may be the most appropriate means in each country that sportsmen and federations can make effective and continuous use of such laboratories;

      - to encourage international co-operation, both bilaterally and within the Council of Europe, so that those member states without such laboratories may have reasonable access to laboratories in other states and to the experience, skills and techniques necessary for them to set up such laboratories at a later stage;

      - to encourage the harmonisation of technical procedures of high standard in these laboratories;

      - to take steps to ensure that such laboratories are manned by properly qualified and experienced staff and to make provision for the training of personnel from other member states in the training programmes;

4. to consider, where this has not already been done, the creation of a national anti-doping committee (which could consist of representatives from the sports federations, national confederations of sport, governmental administrations responsible for sport and for public health) in order to provide the necessary liaison between the parties involved in the efforts to eradicate the problems of doping in sport;

5. to consider in what ways they might most suitably support those athletes or federations who as a result of taking a stand against the use of illicit substances in sport suffer material consequences;

6. to report to the Secretary General, by 1 March 1980, on measures taken in implementation of this recommendation.

Recommendation No. R (84) 19 of the Committee of Ministers to Member states on the "European Anti-Doping Charter for Sport"
(adopted by the Committee of Ministers on 25 September 1984)

The Committee of Ministers, under the terms of Article 15*b* of the Statute of the Council of Europe,

Recalling its Resolution (67) 12 on the "Doping of Athletes" and Recommendation No. R (79) 8 on "Doping in Sport";

Bearing in mind the resolution on "Doping and Health" adopted at the 2nd Conference of European Ministers responsible for Sport, in London in 1978;

Emphasising that the use of doping agents is both unhealthy and contrary to the ethical values of sport and thus undermines the main purposes for which sport is supported financially by public authorities;

Concerned that the use of doping agents is becoming more common and spreading to more forms of sport and that ever-younger sportsmen and sportswomen use them;

Considering that governments have a general responsibility to counter the use of doping in sport;

Considering that doping in sport is a part of the problem of drug abuse in society;

Stressing that the elimination of this problem will require common action by public authorities and sports organisations, each acting within the sphere of its own responsibilities;

Recognising that a statement of principles on the roles of each partner will make a timely contribution to further endeavours in the anti-doping campaign, and that the text adopted by the European Ministers responsible for Sport at their 4th Conference, in Malta in 1984, under the title of the "European Anti-Doping Charter for Sport" is such a statement of principles,

I. Recommends the governments of member states:

1. to take the action set out in Part A of the appendix to this recommendation;

2. to take, in co-operation with the sports organisations, the action set out in Part B of the appendix to this recommendation;

3. to distribute this recommendation and its explanatory memorandum widely among all sports organisations and other interested parties;

II. Instructs the Secretary General to transmit this recommendation to the governments of states party to the European Cultural Convention who are not member states of the Council of Europe;

III. Instructs the Secretary General to transmit this recommendation to international sports organisations.

Appendix
European Anti-Doping Charter for Sport

Part A

The governments of member states should:

1. Take all appropriate steps falling within their competence to eradicate doping in sport and in particular:

   1.1 to ensure that effective anti-doping regulations are implemented: for example, by applying the provisions of appropriate legislation in member states where it exists or by obliging sports organisations which have not yet done so to adopt and apply effective anti-doping regulations, for example by making it a condition for receiving public subsidies;

   1.2 to co-operate at international level:

      a. in measures designed to reduce the availability of doping agents;

      b. in facilitating the carrying out of official doping controls decided on by international sports federations.

2. Set up and run, either individually or collectively, doping control laboratories of a high technical standard.

   The creation and operation of high-class doping control laboratories should include provision for the training and retraining of qualified staff and for an appropriate research programme.

   These laboratories should be of such a standard that they can be recognised, accredited and verified at regular intervals by the competent international organisations, especially insofar as such laboratories may be used for doping controls at international sports events held on the territory of the member state.

3. Encourage and promote research in doping control laboratories into analytical chemistry and biochemistry, and subsequently help with the publication of the results of research in order to disseminate such knowledge; and make suitable arrangements for the adoption of techniques, standards and policies as research shows to be necessary.

4. Devise and implement educational programmes and campaigns from school-age onwards drawing attention to the dangers and unfairness of doping and promoting the proper ethical and physical values of sport; and support the design of properly constructed physiological and psychological training programmes which would encourage the continual search for improved performances without using artificial aids or harming the participant's organism.

5. Assist with the financing of doping controls.

Part B

The governments of member states should offer their co-operation to the sports organisations, so that the latter take all measures falling within their competence to eradicate doping.

6. Sports organisations should be encouraged:

6.1 to harmonise their anti-doping regulations and procedures, based on those of the International Olympic Committee (IOC) and the International Amateur Athletic Federation, and ensure that these regulations provide for an adequate protection of the rights of sports participants accused of contravening the anti-doping regulations, including the right to a fair examination in the proceedings which may lead to penalties being imposed;

6.2 to harmonise their lists of banned substances, based on those of the IOC, and making appropriate provision for the specific anti-doping requirements of each sport;

6.3 to make full and efficient use of the facilities available for doping controls;

6.4 to include a clause in their regulations whereby, in order to be considered to be eligible to take part in any official event of that sports organisation or federation, an athlete would agree to submit at any time to any doping control decided on by an official properly and duly authorised by that federation or its superior federation;

6.5 to agree on similar and substantial penalties for sportsmen or women caught using doping substances and for any other person providing, administering or facilitating the use of doping substances;

6.6 to recognise that unduly high performance levels required in some events might result in the temptation to use drugs.

Recommendation No. R (88) 12 of the Committee of Ministers to Member states on the Institution of Doping Controls without Warning outside Competitions
(adopted by the Committee of Ministers on 21 June 1988)

The Committee of Ministers, under the terms of Article 15*b* of the Statute of the Council of Europe,

1. Recalling its Resolution (67) 12 on the doping of athletes, its Recommendation No. R (79) 8 on Doping in Sport and, in particular, its Recommendation No. R (84) 19 on the "European Anti-Doping Charter for Sport";

2. Bearing in mind Resolution No. 4/86 on Doping in Sport, adopted by the European Ministers responsible for Sport at their 5th Conference in Dublin on 2 October 1986;

3. Noting that many governments have taken action in accordance with the European Anti-Doping Charter for Sport, both in regard to their own competence and in offering their co-operation to sports organisations, so that many of them have taken measures falling within their competence;

4. Acknowledging that the organisers of most major national and international competitions regularly conduct doping controls at them, and that these controls constitute in themselves an important deterrent and educational tool in the anti-doping campaign;

5. Considering that the carrying out of doping controls at competitions will not by itself ensure the eradication of doping from sport;

6. Welcoming the decisions taken by the competent authorities - whether governmental or non-governmental - in several member states, and by some international sports federations, to institute doping controls not only at competitions, but also, without warning, during training;

7. Welcoming the fact that the majority of member states now have officially accredited doping-control laboratories and that they are now in a position to provide sports organisations with a continuous and adequate supply of analyses;

8. Desirous of seeing the principle of doping control outside competition extended in all member states on a harmonious basis, both between countries and between sports, and in a way which is equitable to all athletes, in accordance with the ethical principles and purposes of the European Anti-Doping Charter for Sport,

I. Recommends the governments of member states to take all the appropriate steps that may fall within their competence, and to offer their co-operation to their sports organisations so that they are encouraged to take all the appropriate steps falling within their competence, with a view to achieving the objectives set out in the appendix to this recommendation;

II. Instructs the Secretary General to transmit this recommendation to the governments of non-member states party to the European Cultural Convention;

III. Instructs the Secretary General to transmit this recommendation to international sports organisations.

Appendix to Recommendation No. R (88) 12
Objectives for doping controls without warning outside competitions

i. The setting up, in accordance with the principles of the European Anti-Doping Charter for Sport, of programmes for the carrying out of doping controls on a regular basis, not only at competitions or at events where new regional or world records are claimed, but also, without warning, at any appropriate time outside competitions.

ii. The adaptation, or adoption where necessary, of doping regulations by sports organisations so that due provision and authority is made for doping controls without warning outside competitions; these regulations should be fair and equitable, respect the rights of suspected athletes and include the principle of hearing both sides; they should include the principle of the random selection of those to be tested and retested; the regulations should be consistent with the doping regulations and lists of banned substances etc. of the International Olympic Committee and should ensure that there is testing for banned substances, such as anabolic steroids, with long-term effects on performance; they should include provision for the application of appropriate penalties and/or procedures for dealing with cases which seem to reveal either a deliberate or an inadvertent breach of the regulations.

iii. Seeking to ensure that regulations of sports organisations are compatible with the provisions of such relevant domestic legislation as may exist, so that effective random doping controls without warning outside competitions may be carried out.

iv. Facilitating the task of those officially entrusted by those international sports federations concerned with the carrying out of random doping controls at short notice on the territory of a member state (for example in the granting of visas).

v. Encouraging the creation of voluntary registers whereby athletes who wish to be considered for selection in a representative competition would agree to undergo a duly authorised doping control at any time.

vi. Continuing the principle of financial assistance, encouragement and inducement for doping controls on this wider basis.

vii. The conclusion of agreements on a bilateral or multilateral basis which would allow athletes from one member state, training on the territory of another, to be tested, in accordance with the principles of this recommendation, by an authorised doping-control team of the latter member state or of an international sports organisation and which would ensure that consequent appropriate action would be taken as if the control had taken place on the athlete's own territory.

viii. Taking appropriate steps to ensure that athletes are informed of the principles of the anti-doping campaign on this enlarged basis and that they, and others also concerned, are provided with educational material warning of the dangers of taking or providing doping substances, and explaining the ethical implications of doping abuse in sport.

ix. Ensuring that the effectiveness of out-of-competition controls is not undermined by athletes having access to doping agents.

Part Two

Texts adopted at Conferences, Working Parties and Informal Meetings of European Ministers responsible for Sport

Resolutions and Declarations

2nd Conference of European Ministers responsible for Sport
(London, 4-7 April 1978)

Resolution No. 2/78 on Future European Co-operation (Theme II)

The European Ministers responsible for Sport, meeting in London,

Conscious that, for most of the States Signatory to the European Cultural Convention, the Brussels Conference has helped to promote the formulation of a sports policy based on the principles of the European Sport for All Charter;

Recognising that the initiatives taken in this area of European co-operation have progressed favourably since 1975;

Considering that the efficiency of this co-operation is, to a very large extent, dependent on simple structures provided with adequate resources and prestige;

AS REGARDS AREAS OF CO-OPERATION, PRIORITY THEMES AND SCIENTIFIC RESEARCH:

Ask the Committee of Ministers of the Council of Europe to invite the CDDS where its future programme is concerned:

...

4. to promote specific research projects in fields directly related to its objectives, notably:

   d. methods for detecting the use of illegal means of improving performance;

...

Resolution No. 3/78 on Ethical and Human Problems in Sport (Theme III)

The European Ministers of Sport, meeting in London,

Reaffirming their attachment to the principles set out in the European Sport for All Charter, and concerned to safeguard sport and sportsmen from exploitation of whatever kind;

Considering that modern sport is beset by a number of practices which are jeopardising the ethical basis of sport, and that these are no longer restricted to international competitive sport, but are beginning to affect sport at national, regional and club level;

Express their hope and confidence that the sports federations will overcome the problems facing them and offer their support in the quest for solutions;

Bearing in mind that the mental and physical health of their peoples is their common concern;

Resolve as follows:

ON DOPING AND HEALTH:

Considering that since the adoption by the Committee of Ministers of the Council of Europe of Resolution (67) 12 on the Doping of Athletes, the member states, their national sports organisations, as well as governments and sports organisations of non-member states, have made real but as yet insufficient efforts to solve the problems raised by the taking of illicit substances for the purpose of improving athletic performances;

Affirming that the continual and necessary search for better performances must not lead to a situation in which the ethical and human basis of sport is neglected:

1. condemn any measures designed to influence performances which are detrimental to the health of athletes or the ethics of sport, and any athletes who take such measures;

2. emphasise the importance they attach to the speedy implementation of effective methods for the detection of the consumption of illicit substances, particularly anabolic steroids and other tissue-developing agents such as testosterone, and to the banning of such substances;

3. invite their respective governments:

   a. to co-ordinate the action of the Ministers responsible for Health and for Sport, to support the governing bodies of sport in these tasks, and to intensify the co-ordination of relevant international research at a European level;

   b. to support the testing of athletes for illicit substances at and between events and also to support an international programme for monitoring the results of tests at suitable laboratories in each country, to which the responsible sports and medicine authorities have guaranteed access, subject to the usual rules of medical confidentiality;

   c. to recommend regular health checks for sportsmen and progressively to provide the facilities for this;

   d. to invite national sports organisations to intensify their efforts to preclude the taking of illicit substances and suggest the following measures which might be carried out at national level by each country's most appropriate sports organisation:

      i. a publicity campaign directed at athletes on the dangers to health of doping, using for example the information contained in the background paper prepared for this conference;
      ii. encouraging the maintenance of respect for the ethics and practice of sport;
      iii. compiling and publishing, in agreement with international directives, accurate and detailed lists of stimulating agents and means of testing for them;
      iv. instituting and supporting practical and regular doping tests;
      v. working towards a stricter control of the issue of medical prescriptions involving potential doping agents;
      vi. instituting stricter sanctions for athletes found using stimulants, which should be applied also to trainers, doctors or managers who have encouraged their use.

4th Conference of European Ministers responsible for Sport
(Malta, 15-16 May 1984)

Resolution No. 1/84 on the European Anti-doping Charter for Sport having been adopted as Recommendation No R (84) 19 by the Committee of Ministers is to be found in Part One of this volume.

Resolution No. 11/84 on past and future work of the CDDS, 1981 to 1984 and 1984 to 1986

The European Ministers responsible for Sport, meeting in Malta for their 4th Conference on 15 and 16 May 1984,

...

Invite the Committee of Ministers of the Council of Europe to request the Committee for the Development of Sport (CDDS), within agreed budgetary resources, to continue to provide policy-makers with help in implementing the provisions of the European Sport for All Charter adopted at the 1st Conference by giving special attention to the following areas, where appropriate in co-operation with the international sports organisations:

- with regard to Article 5:

to propose ways of maintaining the ethical values of sport, for example, by helping the effective implementation of the European Anti-Doping Charter for Sport adopted at this Conference, and of Recommendation R (84) 8 on the Reduction of Spectator Violence at Sporting Events; and to study the influence of commercial pressures, including the impact of TV rights, on sport, and to prepare if necessary a revised sports sponsorship code;

5th Conference of European Ministers responsible for Sport
(Dublin, 30 September–2 October 1986)

Resolution No. 4/86 on Doping in Sport

The European Ministers responsible for Sport, meeting in Dublin for their 5th Conference from 30 September to 2 October 1986,

Welcoming the several developments both at national and at international level reported to the conference on measures designed to implement the European Anti-Doping Charter for Sport adopted at their 4th Conference;

Thanking the international sports organisations for their co-operation in this matter;

Determined to do all in their power, both at governmental level and in co-operation with the sports movement, to eradicate doping in sport;

Welcoming the positive proposals made, inter alia, by the Canadian Minister responsible for Sport, on future action to widen the impact of the European Anti-Doping Charter for Sport, and accepting his offer to collaborate with the Council of Europe member states and other nations with this objective in view;

Resolve:

to encourage, in accordance with the principles set out in the European Anti-Doping Charter for Sport, the working out of measures, where necessary, in order to reduce trafficking in doping agents and to promote preventive aspects, including educational campaigns;

to encourage sports organisations and schools to carry out information and educational campaigns, so as to draw the attention of athletes and young people in general to the fact that doping is both dangerous and unfair, and defend the ethical and physical value of sport;

to offer their continued support to the many international and national sports organisations which have acted in accordance with the principles set out in the European Anti-Doping Charter for Sport, and to urge other sports organisations to do so;

to draw the attention of the sports organisations to the desirability of uniform and effective regulations, procedures and penalties to be applied in a consistent manner; in this context, Ministers encourage sports organisations to impose an effective penalty, normally a life ban from international competitions, as already provided for in the regulations of some sports organisations, as for example the IOC; and, because of the particular problems raised by the availability of certain doping agents, for the need for them to take adequate counter-measures, for instance in proper testing programmes, including out-of-competition controls;

to invite the sports organisations to adapt their disciplinary procedures to follow the principles set out in the conference paper MSL-5 (86) B3, particularly with regard to a fair hearing and an appeal body;

to express their confidence that the sports organisations will continue to deal with the problems of doping in sport in accordance with their seriousness; and to thank them for their continuing co-operation with the Council of Europe on this question;

to encourage the International Olympic Committee to include clearer criteria relative to the anti-doping campaign in its own eligibility rules and bye-laws;

Invite the Committee of Ministers:

1. to consider ways in which European co-operation could help with the resolution of problems connected with the distribution and availability of certain doping agents;

2. to study ways in which the Canadian authorities could be associated with future work on doping, including the proposals set out below;

3. to ask the CDDS to follow up as soon as possible the proposals made to the conference with a view to:

    a. enlarging the circle of countries or regions which could accept and begin to apply the principles laid down in the European Anti-Doping Charter for Sport;

    b. encouraging the sports organisations to take further action on the measures proposed for the harmonisation of their anti-doping regulations and procedures.

6th Conference of European Ministers responsible for Sport
(Reykjavik, 30 May–1 June 1989)

Resolution No. 1/89 on Doping in sport and the draft Anti-doping Convention

The European Ministers responsible for Sport, meeting at Reykjavik for their 6th Conference from 30 May to 1 June 1989,

Welcome the adoption by the 1st Permanent World Anti-Doping in Sport Conference in Ottawa (26 to 29 June 1988) of the text, based on the European Anti-Doping Charter, and supported by the 2nd International Conference of Ministers and Senior Officials responsible for Sport and Physical Education organised by Unesco at Moscow (22 to 25 November 1988);

Note that the recommendation of the Unesco conference called for member states to examine the desirability of recognising and adopting the International Olympic Anti-doping Charter;

Endorse the principles of this Charter and those elements that relate to the role of governments, and support the efforts of the Canadian government to promote the world-wide endorsement of the Charter among governments;

Note that since the Sports Ministers at their 13th informal meeting at Athens, 1 and 2 June 1988, made their proposal for the preparation of an Anti-Doping Convention, some developments in international sport have further reinforced the need for concerted and effective international action to combat doping in sport, to be taken by public authorities and sports organisations acting in conjunction in their respective but complementary areas of responsibility;

Welcome the decision taken by the International Olympic Committee to set up an independent doping control team for international out-of-competition testing;

Appeal to all sports organisations:

1. to follow the International Olympic Anti-Doping Charter;
2. to introduce proper control and disciplinary procedures in line with that Charter;
3. to facilitate the work of the IOC independent out-of-competition doping control team;
4. to introduce medical care and supervision for their members which respects the rights of sportsmen and sportswomen;
5. to develop constructive educational campaigns;

Welcome the proposals made by the Committee for the Development of Sport with regard to a draft Anti-Doping Convention;

Resolve to continue their efforts to achieve world-wide agreements on effective anti-doping measures;

Consider that the draft Anti-Doping Convention is one such measure and hope that other states not participating in the Conference will examine this draft text favourably with a view to extending international co-operation and harmonisation on this subject;

Approve the draft texts of the Anti-Doping Convention and explanatory memorandum as examined by this Conference,

Invite the Committee of Ministers of the Council of Europe to:

1. adopt the text of this draft Convention (see Part I of this Volume) and to decide to open it for signature at an early date;
2. invite other states not members of the Council of Europe to accede to the Convention;
3. authorise the publication of the draft explanatory memorandum to the draft Convention;
4. instruct the Secretary General to transmit this resolution to the government of Canada;
5. instruct the Secretary General to transmit this resolution to the governments of states invited to accede to the European Cultural Convention and to the international sports organisations.

Resolution No. 6/89 on the Preservation of Ethical Values in Sport

The European Ministers responsible for Sport, meeting at Reykjavik from 30 May to 1 June 1989 for their 6th Conference,

Welcome, in addition, the progress made in the struggle against new forms of self-inflicted violence including doping, which has led to the preparation of the draft Anti-Doping Convention;

6th Meeting of the Working Party of European Ministers responsible for Sport
(Paris, 22 May 1978)

Press Communiqué

The 6th Informal Meeting of European Ministers responsible for Sport was held in Paris on 22 May 1978 under the auspices of the Council of Europe. Its purpose was to prepare for the 2nd meeting of the Intergovernmental Committee for Physical Education and Sport to be held at Unesco from 23 to 30 May 1978.

The Ministers present stressed that the organisation and conducting of international sports competitions were and must continue to be the responsibility of the competent non-governmental organisations. Realising the difficulties caused by increasing violence at sports events, **the evil effects of doping**, the difficulties due to the inordinate size and the cost of sports facilities, they called for permanent and organised concertation between these non-governmental organisations and the public authorities.

They noted with interest the manifesto published on 20 March 1978 by the Tripartite Commission of the International Olympic Committee and thought that the Commission might be the partner to discuss with Unesco possible solutions for the problems at present being raised by international sport.

The European Ministers agreed that priority should be given to the study of the problems of protecting sports ethics, the disastrous consequences to the sporting image of outbreaks of violence, and the changes in technical standards that are increasing the cost of sports facilities.

They pointed out that in accordance with the Olympic ideal athletes took part in sports events as individuals; it was therefore desirable to restrict the use of symbols such as anthems, flags, etc liable to engender confusion between nationalism and sport. It was with this idea of the athlete's development as an individual in mind that the European Sport for All Charter could be proposed as a basis for the discussion of the charter that Unesco has been asked to draw up.

Lastly, the European Ministers agreed to contribute to the Fund opened by Unesco to help the developing countries to increase the numbers of their physical education and sport coaches and teachers, to build adequate sports facilities and to obtain the necessary information. The object of this effort was not only to enable everyone to engage in sport, but also to encourage the participation of athletes from the developing countries in sports events at the highest level.

9th Meeting of the Working Party of European Ministers responsible for Sport
(Paris, 27 January 1983)

Press Communiqué

The 9th Informal Meeting of European Ministers responsible for Sport from Council of Europe member states was held in Paris on 27 January 1983 at the invitation of the French government and presided over by Madame Edwige Avice, French Minister for Youth and Sports.

The Ministers constantly stressed the educational and cultural character of sport. It was in this spirit that they discussed the problems of violence associated with sport and decided to set up, within the Sports Committee of the Council of Europe, a working party to study concrete European measures to

control violence, including the possibility of preparing a European Convention on violence, in collaboration with the NGOs.

The Ministers decided to strengthen measures against doping in sport and, here too, the possibility of a European Convention was mentioned, again in collaboration with the NGOs.

It was agreed that the 10th Informal meeting of Sports Ministers would take place in the Netherlands in the autumn of 1983 to discuss the consequences of both top-level sport and Sport for All for governments, and also professional football transfers.

The Ministers also had an exchange of views about certain problems posed by South African participation in sports events in Europe.

13th Informal Meeting of European Ministers responsible for Sport
(Athens, 1-2 June 1988)

Press Communiqué

European Sports Ministers agree to curb doping in sport.

European Sports Ministers today agreed to draw up a set of legally binding rules to curb drug abuse in sport.

The proposal for a European Convention came from the British Minister Colin Moynihan. It will confirm the commitment of signatory governments in fighting drug abuse and signal that commitment to other countries, the Ministers said.

The Ministers accepted an invitation by Greece's Culture Minister Melina Mercouri to host the first ever European Ministerial Conference on Doping in Sport at Delphi. Meanwhile the Ministers called for the introduction of spot checks on athletes during training periods to counter the predictability of testing only at competitions.

The Ministers also voiced the hope that Europe's work on anti-doping measures could provide a basis for world-wide agreement in this area at the World Anti-Doping Conference in Ottawa later this month.

Sports Ministers from the twenty-one Council of Europe countries, plus Finland, the Holy See, San Marino and, for the first time, Yugoslavia, were meeting informally in Athens on 1 and 2 June with the Greek Minister Joseph Valyrakis in the Chair.

Other items discussed during the two day meeting included:

SOCCER VIOLENCE

The Conference reviewed the work of its Watchdog Committee (the Standing Committee of the 1985 Spectator Violence Convention now in force between thirteen countries) and endorsed recommendations to:

1. extend controls on alcohol sales and consumption to include the travel arrangements of supporters visiting matches;

2. encourage the restriction or ban on the sale of alcohol in the neighbourhood of stadia for a predetermined period before, during and after matches.

The Ministers called for:

1. a concise report on the effectiveness of crowd control measures used during the 1987-8 domestic seasons and the forthcoming European soccer championships in the Federal Republic of Germany;

2. co-ordinated transnational research into hooligans and hooliganism;

3. development of co-operation with the European Community's Trevi Group on football matches.

SPORT AND CULTURE

Greece's Culture Minister Melina Mercouri addressed the Ministers on 1 June. Proposals made by her included:

1. the setting up of integrated art and sport facilities;
2. the organisation in 1989 of a European Year for Culture and Sport;
3. a joint meeting of Ministers of Culture and Sport.

WELFARE OF ATHLETES

International Olympic Committee Vice-President, the Prince de Merode, urged Ministers to review social and welfare cover for top class sportsmen. They are under enormous pressure due to the growing frequency of competitions, the intensity of training, and the high level of performance required, the IOC Vice-President said.

EASTERN EUROPE

Ministers welcomed the development of co-operation with East European countries and advocated the establishment of contacts between the Council of Europe and the (Pan) European Sports Conference (ESC).

EUROPEAN COMMUNITY GAMES

Ministers expressed certain qualms about the proposed 1989 European Community Games which would add a new competition to an already overcrowded calendar and could also jeopardise the unity of sport in Europe.

SCHOOL SPORT

The Portuguese Minister Roberto Carneiro focused attention on the place of sport at school and the need to agree Europe-wide principles on the role of sport in education.

The Ministers asked the Council's Steering Committee on the Development of Sport to study the feasibility of drawing up a European School Sport Charter.

The same committee is also to look into the impact of the law on sport.

APARTHEID

The Ministers exchanged further information on *apartheid* in sport and agreed to discuss discriminatory practices in sport again at Reykjavik.

Ad hoc Informal Meeting of European Ministers responsible for Sport
(Budapest, 17-18 April 1991)

Press Communiqué

Sports Ministers from 32 European states[1] meeting under the aegis of the Council of Europe in Budapest, today concluded their two-day Informal Meeting on pan-European sports co-operation. The Hungarian Minister, Chairman of the meeting, summed up the results of the discussions:

1. Ministers noted the difficulties faced by many countries in reforming and readjusting their sports policies in the light of the fundamental changes that they had experienced. They called for practical mutual help to be developed through the expertise of the Council of Europe, particularly in the field of exchange of information and experience;

2. they wished to see close co-ordination of the work of the many organisations involved in European sports co-operation to avoid duplication;

3. they agreed that the principles of the council of Europe's "Sport for All" policy represented a solid basis for a common legal framework for European co-operation which could be enshrined in a binding European outline Convention;

4. **doping and spectator violence were examples of factors which gave sport a negative image and which the Council of Europe was tackling via its European Conventions which were the model of successful action;**

5. they welcomed the French Minister's proposal to host an informal meeting devoted to the subject of "Sport and Money" to be held after their next regular meeting in Rhodes in 1992;

6. during the Rhodes Conference, discussions on all the proposals raised in Budapest should be pursued;

7. they welcomed the chance to meet together on a pan-European level, and looked forward to the prospect of being able to meet again in the near future on a permanent basis in the framework of the Council of Europe and its Cultural Convention.

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1 The 25 Council of Europe member states plus the Holy See, Poland, USSR and Yugoslavia, signatories of the European Cultural Convention, and Albania, Bulgaria and Romania.

15th Informal Meeting of European Sports Ministers
(Nicosia, 14-15 May 1998)

Press Communiqué

Ministers call for ethics to be the touchstone of modern sport

European sports ministers today decided that strong ethical values – both ancient and modern – were the key to tackling the problems and challenges of the sports world in the run-up to the 21st Century.

At the closing session of a Council of Europe conference, ministers and top officials (*) agreed that traditional sporting ideals should be resurrected, both to counter the dominance of money in today's sports and to make the most of the power of sport to create social bonds. These values include tolerance, fair play and the contribution sport can make to building peace, including the ideal of the Olympic truce during major sporting events.

The 15th Informal Meeting of European Sports Ministers, in Nicosia, Cyprus (May, 14-15) also emphasised the need for new laws and ethical decisions on specifically modern sports problems, including violence, doping, ever-increasing commercialisation and the impact of new media technologies.

The meeting unanimously endorsed the important role of sport in creating social cohesion, as set out in the action plan of the Council's Second Summit of Heads of State and Government. It also agreed future priorities for further work in this field and that the voluntary sector had an important role to play.

Other ideas proposed include:

- banning free-fighting events (fights with no rules) such as cage-fighting;
- a minimum line-up of national players in club teams to guard against "the muscle drain" and support national training centres;
- protection of young athletes by considering a minimum age limit – possibly 15 at national level and 16 at international level – when young people can enter top-level sport;
- tackling sexual harassment of young athletes by their coaches;
- **more work to combat the increasing use of drugs both by professional and amateur athletes;**
- more co-operation between the Council of Europe and the European Union on sports laws;
- easier visa procedures for sports people participating in international sports events.

Part Three

Recommendation adopted by the Parliamentary Assembly

Recommendation No. 1190 (1992) on European Sports Co-operation

The Assembly last debated European sports co-operation in 1984 (see Recommendation 993 and Doc. 5270). It expressed its satisfaction with the approach of the Council of Europe which was based on the Committee for the Development of Sport (CDDS) and the Conference of European Ministers responsible for Sport.

It has followed the activity of the CDDS, the Ministerial Conferences held in Dublin 1986, Reykjavik 1989 and Rhodes 1992, as well as the Informal Ministerial Meetings held in Lisbon 1985, Strasbourg 1985, Athens 1988 and Budapest 1991.

Four major texts have resulted:

1. European Convention on Spectator Violence and Misbehaviour at Sports Events and in particular at Football Matches (1985);
2. **Anti-Doping Convention (1989);**
3. European Sports Charter (1992);
4. Code of Sports Ethics (1992).

The Assembly has taken account of the implications for sport caused by the political changes in central and eastern Europe. It considers that action is urgently needed on the parliamentary level to assure sports provision.

The Assembly has also noted the European Community's position on sport as set out in the communication of the Commission of 31 July 1991 and the constitution of the Community's European Sports Forum. It welcomes the understanding and co-operation that has been established between the Community and Council of Europe in this field.

Many problems, however, remain and amongst them:

1. sports provision in central and eastern Europe (and related legislation);
2. access to the countryside for sport and other leisure activities;
3. the classification of sites associated with sport;
4. equal sporting opportunities;
5. continuing violence associated with sport;
6. **doping;**
7. money in sport.

The Assembly welcomes the fact that the next informal meeting of European Sports Ministers will tackle the question of money in sport (France, 1993).

It calls on governments of member states that have not yet done so, to ratify the on violence and anti-doping referred to above.

It recommends that the Committee of Ministers ask governments of member states to implement as effectively as possible the new European Sports Charter and Code of Sports Ethics (agreed by the European Ministers responsible for Sport in Rhodes, 1992).

The Assembly further recommends that the Committee of Ministers:

1. extend work on the values of sport and their promotion;
2. continue its efforts to assist sports provision in central and eastern Europe (with particular attention to legislation, a field in which the Assembly might also be involved);
3. prepare an agreement on access to the countryside for sport and other leisure activities;
4. classify sites of significance for sport.

Part Four

Final Declaration adopted by the Congress on Local and Regional Authorities of Europe

European Conference on Sport and Local Authorities
(Gödöllo, Hungary, 1-3 February 1996)

Final Declaration

The participants at the European Conference on Sport and Local Authorities, held in Gödöllo (Hungary) from 1 to 3 February 1996,

1. Thanking the Council of Europe and in particular its Congress of Local and Regional Authorities of Europe (CLRAE) for taking the initiative of organising this conference;

2. Thanking the Mayor and the Municipality of *Gödöllo* for their warm welcome and hospitality;

3. Underlining the important role played by local and regional authorities in improving living standards, economic progress and cultural development;

4. Emphasising that sport forms an integral part of local cultural activities, and therefore it is vital that local authorities have an active, conscious attitude and approach to how involvement in sport can be integrated into local policies in general;

5. Stressing that sport, being a school for democratic ideals, social participation and integration, plays an important role in promoting international understanding;

6. Considering that sports activities are beneficial not only for the development of personality but also for the attainment of good health, the improvement of physical qualities, greater personal fulfilment, a better and more wholesome use of leisure and the improvement of the quality of life;

7. Considering also that sports and physical activities must not be the exclusive preserve of certain age groups and special categories of persons but should be accessible to the general public in the framework of the "Sport for All" concept;

8. Acknowledging the vital role played by the Council of Europe in the promotion of sport as an important factor in human development, in particular by setting international standards through such instruments as the European Sports Charter and Code of Sports Ethics;

9. Call on the Congress of Local and Regional Authorities of Europe to regularly examine the role and responsibilities of local and regional authorities in relation to sport, to support concrete action aimed at providing sport for all, and to reinforce European co-operation in this field between local and regional authorities, and between the Congress and other bodies of the Council of Europe;

10. Adopt and commend to the favourable consideration of the Congress the Final Declaration of the Gödöllo Conference as follows:

...

Sport and health

53. Local authorities should take an active part in educational campaigns to point out the risks involved in using or advocating the use of doping agents, in particular that many such agents present serious long-term dangers to health;

Part Five

Texts adopted by the Monitoring Group of the Anti-doping Convention (T-DO)

Recommendations and Resolutions

Recommendation No. 1/94 on Standard Urine Sampling Procedures for Doping Control

(see Recommendation No. 1/95 on Standard Urine Sampling Procedures for Doping Control which includes in- and out-of-competition procedures.

Recommendation No. 2/94 on Measures to restrict the availability of Anabolic Steroids, etc.

The Monitoring Group of the Anti-Doping Convention, under the terms of Article 11.1.d. of the Convention,

Recalling Article 4.1 of the Convention which states that "the Parties shall adopt where appropriate legislation, regulations or administrative measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods, and, in particular, anabolic steroids";

Concerned by the widespread abuse of anabolic/androgenic steroids in nearly all sports, and at all levels of sport, and by all ages of sports people;

Concerned equally by the even more widespread abuse of steroids in para-sporting circles and in fitness centres for purposes that may not be linked directly to sporting performance;

Considering that such abuse presents a challenge not only to sporting ethics but also to public health in general;

Considering that the illicit distribution of anabolic/androgenic steroids appears to be increasing, thus putting many young people at risk, and, giving rise to harmful physiological and psychological consequences associated with steroid abuse;

Convinced that international co-operation is necessary to reduce steroid abuse and the illicit trade in steroids;

Bearing in mind the legislation already adopted or proposed for adoption in Parties to the Anti-Doping Convention, and in other States associated with the Convention,

Recommends the Parties:

a. to ensure, where such a framework does not already exists, that a legislative framework provides for efficient control of the supply and transfer of anabolic/androgenic steroids;

b. to ensure that these controls cover unauthorised manufacture, import or export, distribution, trade or transfer for gain of products containing such compounds; the controls should also contain appropriate provisions against unauthorised possession;

c. to ensure that the scale of penalties for contravening such controls are appropriate, bearing in mind the nature and scale of the offence;

d. to ensure that such controls and penalties also extend to veterinary steroids when diverted to or intended for human use;

e. to consider ensuring that authorised producers, distributors, doctors, pharmacists and veterinarians keep appropriate records of their several holdings and transfers of such steroids.

Explanatory Memorandum

A. PRESENT SITUATION

1. Article 4.1 of the Anti-Doping Convention states: "The Parties shall where appropriate adopt measures to restrict the availability (including provisions to control movement, possession, importation, distribution and sale) as well as the use in sport of banned doping agents and doping methods and, in particular, anabolic steroids".

2. Denmark, Norway and Sweden have adopted legislation making transfer, import or acquisition for the purpose of (financial) gain a crime. Canada has adopted legislation to reschedule anabolic steroids in the Food and Drugs Act, making it a criminal offence to import, export, traffic, manufacture or distribute all (human) steroid products, except by authorised persons or for authorised purposes. In Denmark and Sweden, use and in Norway, possession and use, remain unpenalised. Finland is contemplating similar legislation.

3. The United States of America has implemented the Steroid Control Act of 1990 which brings all steroids intended for human use under the provisions of the Controlled Substances Act. This criminalises production, trafficking, non-medical use, possession, or distribution of steroids with penalties of up to 20 years imprisonment, and/or $1m fine and/or asset forfeiture.

4. In most European countries other than those mentioned in paragraph 2 above, controls on anabolic steroids are exercised through existing medical drug control acts or regulations. These usually stipulate that obtaining drugs or pharmaceutical preparations containing steroid compounds is subject to appropriate medical prescriptions. However, it is believed that it is possible to obtain some such preparations in Belgium and Portugal over the counter (OTC) from a pharmacy. Unauthorised or unprescribed possession or use of such compounds is not usually penalised. Some doctors and pharmacists have however suffered penalties either under law or under their appropriate professional codes for illicit distribution of these drugs.

5. In addition, there is growing evidence of illicit trade in these substances in the world of organised crime, independent of medical/pharmaceutical circles.

B. SCALE OF PROBLEM

6. Steroid abuse is widespread at all levels and in all kinds of sport.

7. It is not, however, limited to organised sport. Anabolic steroids are commonly abused in gyms/fitness centres, etc., by people who want to `look good' and by people who have a professional need to remain/keep physically fit and strong. Such people are not necessarily covered by the testing programmes carried out by sports organisations.

8. Studies carried out in recent years indicate that millions of people in sporting and para-sporting circles are at risk from anabolic steroid abuse, and the illegal market in such substances is worth hundreds of millions of dollars.

C. SOCIAL AND OTHER CONSEQUENCES

9. Besides the undermining of sports ethics by drug abuse, there are 4 principal reasons why public authorities should be concerned at this high level of steroid misuse:

   a. the young age at which much abuse starts. 14 years old is not unheard of; 16 years old is common; by 18 many are psychologically dependent. The role of sports heroes as models for impressionable young people is decisive here;

   b. the quantities that are often involved. Stacking (taking several different steroids simultaneously) and cycling (taking them in accordance with successive timetables) lead to excessively large quantities of steroids being misused, greatly in excess of any dose which might be considered therapeutic;

   c. the types of steroid being abused. Amongst these are a large number of steroids originally designed for veterinary use and therefore not suited for human ingestion, as well as various kinds of illicitly produced compounds, with varying levels of impurity.

   d. the health consequences of abuse. Apart from the pronounced physiological changes in both men and women which steroid abuse causes (such changes are well known and documented) and the risk of specific types of cancer and cardiological disorders, it can also cause unpleasant and dangerous psychological alterations, increasing aggressiveness and violence. There are also studies which show a strong degree of addictiveness/ dependence on steroids which continues after the sporting or other original motivation/purpose has ceased.

D. PROPOSALS

10. The Working Party on Legal Issues therefore proposed that the Monitoring Group should adopt a Recommendation to Parties with a view to Parties' instituting stricter controls on the availability of anabolic steroids. Because of the international nature of the `trade' in steroids, these controls should contain common provisions making illegal the unauthorised production, import/export, distribution, supply, transfer, sale and, where appropriate, possession of anabolic steroids, whether for human or veterinary use. Given the various legal situations in the different States, each Party should look for the most efficient legal means of achieving these goals and enforcing a control system with appropriate scope and penalties.

11. The Working Party, recalling that the term "anabolic steroids" appears in the text of the Convention (see Article 4.1) and is expanded upon in the Explanatory Report thereto (see "Notes on the Appendix to the Convention", section C), took the view that it is unnecessary, and would perhaps even be counterproductive, to enshrine a definition in the proposed draft Recommendation.

12. The same argument applies to appending a definitive list of the substances coming within the scope of the proposed text, since product development could easily render such a list out-of-date and therefore less effective.

    However, reference is made to the Appendix to the Anti-doping Convention: "Reference list of pharmacological classes of doping agents and doping methods" (which is updated as needed by the Monitoring Group), "Androgenic/anabolic steroids".

13. Finally, consideration may have to given in the future to a similar Recommendation on the subject of certain polypeptide hormones, as and when concrete evidence of their abuse for sporting purposes becomes available.

Recommendation No. 1/95 on Standard Urine Sampling Procedures for Doping Control in and out of Competition

The Monitoring Group of the Anti-Doping Convention, under the terms of Article 11.1.d of the Convention,

Whereas under Article 3 of the Anti-Doping Convention the Parties undertake to co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport;

Whereas in Article 7 of the Convention the Parties undertake to encourage their sports organisations to harmonise their doping control procedures;

Considering that common operating standards for control procedures would ensure a fair and equitable system for athletes;

Considering that such standards could also provide a firm basis upon which to build bilateral and multilateral agreements for doping control between countries;

Considering that this would also encourage other sports organisations and countries to seek common standards;

Convinced of the need to establish a standard system of urine sample collection;

Having studied the Sampling Procedures of the International Olympic Committee's Medical Code;

Having discussed this Recommendation with international and European sports organisations;

Having revised Recommendation No. 1/94 adopted by the Monitoring Group in 1994, to include provision for standard urine sampling procedures for doping controls out of competition.

Recommends that Parties to the Anti-Doping Convention include, or where appropriate, strongly urge the national sports bodies concerned to include, in their Anti-Doping Regulations, the Standard Urine Sampling Procedures and annexes thereto appended to the present Recommendation.

Appendix
Standard urine sampling procedures for doping control in and out of competition

Introduction

1. The Anti-Doping Convention requires Contracting Parties to encourage their sports organisations to harmonise their procedures for doping control. The aims of achieving harmonisation are many fold:

   a. Common operating standards for testing procedures would ensure a fair and equitable system for all athletes.

b. It could lead to the establishment of an international system of sample collection.

c. Minimum operating standards could also provide a firm basis upon which to build bilateral and multilateral anti-doping agreements between countries.

d. Sports organisations and countries would be encouraged to seek common standards.

e. Countries would be able to guarantee a level of competence within these standards.

2. By operating to common standards, testing programmes organised by International Sports Federations, of national governing bodies and by national anti-doping organisations could be intercommunicated. Working together, these parties could create and develop a more effective system of doping control.

3. The Anti-Doping Convention invites Contracting Parties to co-ordinate their anti-doping policies and actions (Art. 3.1)[2] As suggested in Art. 3.2[3], a designated national authority or organisation (whether in the public sector or within the sports movement) with clearly defined roles and responsibilities could undertake the implementation of practical elements of the Convention. In essence, a national anti-doping organisation should be established so as to operate independently of but in association with individual sports federations, both national and international. Furthermore, to achieve harmonisation national governing bodies and International Sports Federations should try to make maximum use of the common testing services offered by the national anti-doping organisation.

4. These Standard Sampling Procedures should be followed as far as is reasonably practicable in each case. A minor departure from them shall not invalidate the possible finding of a prohibited substance during analysis. Only a departure which reasonably casts doubt upon the validity of a positive analysis will be entertained.

5. These Standard Sampling Procedures apply only to the collection of urine samples.

Sampling procedures

1. Sample collection teams

a. Sample collection should be carried out by qualified staff[4] (hereafter called "doping control officers") properly trained and duly authorised. When recruited by the national anti-doping organisation (or agency or body, hereafter called "organisation"), these officials should be independent of the sport in which they are testing and from the persons being tested, though they should be familiar with the sport and its rules.

b. National anti-doping organisations should undertake training of appropriate individuals using a curriculum based on the procedures which follow.

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2 3.1. The Parties shall co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport.

3 3.2. They shall ensure that there is practical application of this Convention, and in particular that the requirements under Article 7 are met, by entrusting, where appropriate, the implementation of some of the provisions of this Convention to a designated governmental or non-governmental sports authority or to a sports organisation.

4 including independent sampling officers and medically qualified experts.

c. Wherever possible a sample collection team should consist of a minimum of 2 doping control officers. In appointing the team to collect urine samples, the sex of the athlete(s) should be taken into account.

d. Doping control officers should carry an identity card issued by the national anti-doping organisation or international federation. In addition each doping control officer should have written authorisation from the national anti-doping organisation or from the international federation to carry out the controls.

2. Selection procedures

a. In Competition

At competitions, the doping control officer and/or national anti-doping organisation is responsible for the selection of athletes. However, where the competition regulations of the relevant sports federation so require, this selection or pre-selection shall be made in conjunction with and in the presence of the nominated representative of that federation.

B. OUT OF COMPETITION

INDIVIDUAL ATHLETES MAY ALSO BE SELECTED FOR OUT OF COMPETITION TESTING AT ANY TIME, IN ACCORDANCE WITH NATIONAL PROCEDURES AND/OR INTERNATIONAL FEDERATION REGULATIONS. THE TESTING PROCEDURES MAY BE INITIATED WITH NO OR LITTLE NOTICE AT ANY APPROPRIATE TIME. CONTROLS SHALL BE CONDUCTED IN A WAY WHICH IS EQUITABLE FOR ALL SPORTSMEN AND SPORTSWOMEN AND WHICH INCLUDES TESTING AND RETESTING OF PERSONS SELECTED, WHERE APPROPRIATE, ON A RANDOM BASIS.

3. Notification and doping control form

a. General

i. The doping control officer (or nominated representative of the Federation, or a person designated by the national anti-doping organisation) may notify the athlete in writing or orally. Oral notification must be confirmed in writing. The date and time of notification shall be noted on the Doping Control Form (DCF: Annex B2). The athlete should sign this form to acknowledge receipt of the notice as soon as the notice is presented.

ii. The athlete's identification data shall be included on the form, together with advice that and/or conditions under which he/she may be accompanied to the Doping Control Station by a person of his/her choosing.

iii. The possible consequences of failing to report for the control or for refusing to provide a sample (i.e. such failure or refusal being deemed to be equivalent to a positive result) shall be clearly stated on the notification form (cf. 8, 9 and 10 below).[5]

[5] In order to keep the form manageable, any additional information which may be given should be put on a separate sheet attached to the form.

b. Procedure for notification of controls - in competition

i. Notification of the doping control test should normally take place immediately after the athlete has finished competing.

ii. Notification and sample collection may be made earlier if appropriate. For example, in sports involving weight classes, testing may also take place at the time of the weigh-in.

c. PROCEDURE FOR NOTIFICATION OF CONTROLS - OUT OF COMPETITION

I. ONCE LIABLE FOR TESTING, ATHLETES MAY BE NOTIFIED AT ANY APPROPRIATE TIME THAT THEY ARE REQUIRED TO PROVIDE A URINE SAMPLE.

II. THE SAMPLE SHOULD BE COLLECTED AT THE EARLIEST OPPORTUNITY (24 HOURS BETWEEN NOTIFICATION AND COLLECTION SHOULD BE CONSIDERED A MAXIMUM).

III. FOLLOWING NOTIFICATION, EVERY EFFORT SHOULD BE MADE TO CHAPERONE THE ATHLETE UNTIL THE SAMPLE HAS BEEN PROVIDED.

4. Reporting for sample collections

a. General

i. The athlete may if so wished be accompanied to the Doping Control Station by a person of his/her choice (see 3.2.), provided this person is accessible and available within the time limit specified.

ii. The date and time of reporting, together with the means of identification should be recorded on the Doping Control Form. Appropriate details relating to the accompanying person should also be noted.

iii. Failure to report to the Doping Control Station within the agreed time limit shall be recorded and reported to the responsible authority for consideration.

iv. Provision may be made for keeping the athlete under observation (escort, chaperone) between notification and reporting.

b. In Competition

i. At competitions, an athlete must report to the Doping Control Station at the time indicated on the notification (usually as soon as possible, and no later than one hour after notification).

ii. At the request of the athlete and where there is good reason to do so[6], the doping control officer or authorised representative may authorise a delay (for example, 60 minutes) in the reporting time. In such cases, the athlete will be kept under observation during this period.

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[6] For example, presence required to attend a victory ceremony or press conference; to warm down; to receive treatment for an injury.

c. OUT OF COMPETITION

i. WHEN PROVIDING A NO NOTICE SAMPLE, ATHLETES WILL BE KEPT UNDER OBSERVATION AND WILL BE REQUIRED TO PROVIDE A SAMPLE AS SOON AS PRACTICALLY POSSIBLE.

ii. WHEN PROVIDING A SHORT NOTICE SAMPLE OUT OF COMPETITION, ATHLETES WILL BE REQUIRED TO REPORT TO THE DOPING CONTROL OFFICER AT A TIME AND PLACE MUTUALLY ESTABLISHED, WITHIN THE TIME ALLOWED AFTER NOTIFICATION.

5. Premises for doping control

a. General

i. Privacy and security should be maintained at all times at the place where the sample is collected.

ii. Only one athlete at a time should be called to the area in which urine is to be provided. When the sample is passed, only the D.C.O. or other qualified person shall be present, except in specific circumstances provided for in the regulations.

iii. Photographs etc should not be taken during doping control procedures, unless they are required for official identification purposes.

b. In Competition

i. At competitions, an area should be specifically designated for doping control as close as possible to the competition/training area. Sports federations are advised to include provision for adequate premises in their requirements for facilities at major competitions.

ii. Ideally the doping control premises should comprise a separate waiting and administration area adjacent to toilet facilities for the collection of samples (example attached at Annex A).

iii. The following persons should be authorised to attend the Doping Control Station:

The athlete, an accompanying person, members of the sampling team and nominated representatives of the international and/or national federations, and, if required, an interpreter.

The chief doping control officer should authorise any additional presence.

c. OUT OF COMPETITION

i. SAMPLE COLLECTION SHOULD BE MADE IN AS A DISCRETE A WAY AS POSSIBLE, WHETHER IN A SPORTS FACILITY, TRAINING CENTRE, ATHLETE'S HOME, OR WHEREVER THE MUTUALLY ESTABLISHED RENDEZVOUS MAY BE (SEE 4.2.2.).

6. Sample collection procedures

a. The sampling equipment used (see Annex B.1) must be able to guarantee the unique identification, security and integrity of the urine samples collected.

b. Sample collection procedures must be explained to the athlete.

c. When ready to provide a urine sample, the athlete will select a collection vessel (individually sealed) and shall urinate into it under the direct observation of the doping control officer or other designated person. A minimum volume of 75 ml is usually required. The amount shall be indicated by the doping control officer (in accordance with the national or international federation requirements).

d. In order to avoid any manipulation, the doping control officer should require the athlete to remove sufficient clothing to provide the observer with an unobstructed view of the passing of the sample.

e. i. The athlete shall select a pair of (pre-sealed) bottles or bottle containers and individual code numbers and break the seal to obtain the bottles.

ii Approximately 2/3rds of the urine sample will be poured into the first bottle and approximately 1/3rd into the second bottle.

iii. Both bottles will be closed, sealed and coded with a unique identification method.

Either the athlete or, at his/her request, the doping control officer may carry out the procedures under ii & iii.

iv. The codes of the bottles will be recorded on the Doping Control Form and cross-checked by the doping control officer, by the athlete and by any accompanying person.

f. If required by the international or national Federation, the specific gravity and pH of the urine will be measured using a residual volume of urine in the collection vessel. Details of the measurements should be recorded on the Doping Control Form. If the sample does not meet the relevant specifications, a further sample may be required.

Partial sample:

g. If insufficient urine has been provided by the athlete, the partial sample shall be poured into a bottle (as in e. above). The bottle shall be closed, sealed and coded. The code shall be recorded on the Doping Control Form (or on a separate form provided for that purpose; cf. Annex B.2 § 15). The athlete must remain under the observation of a member of the doping control officer team until further urine has been provided and the sample collection procedures are complete.

h. When the athlete is ready to provide more urine, a further collection vessel should be selected by the athlete and the sample should be provided under the observation of the doping control officer. The doping control officer should check the seal number on the bottle against the codes previously recorded (before breaking the seal to open the bottle). The urine collected from the second collection shall be added to the urine collected from the first collection and the total volume checked. Once the required volume has been

provided the procedures will continue as from e. above. Otherwise the sealing of the sample as in g. will continue until the required volume has been obtained.

Declaration of Medications:

i. The athlete shall be advised by the doping control officer that it is in his/her own interest to declare any medication or other substance taken in the relevant period prior to the control, the length of this period being specified in accordance with national/international regulations. The declaration should be recorded on the Doping Control Form by the athlete or the doping control officer. If the athlete declines to make a declaration, this shall be recorded on the Doping Control Form.

Such information must be treated in the strictest confidence by all who have access to it.

(With a view to respecting the athlete's privacy, anti-doping organisations might consider entering the declaration on a separate, sealable annex to the Doping Control Form, which would be opened only if the sample gives rise to a positive finding.)

Completion of the Doping Control Form

j. The Doping Control Form will be completed by the doping control officer. Details relating to the athlete and sample identification data should be recorded and cross-checked by the athlete and by the doping control officer. If measured, the pH and specific gravity to the sample shall also be recorded (cf. para. f.).

k. The athlete shall certify the accuracy of the information and correctness of procedures used by signing the Doping Control Form which should also be signed by the doping control officer. Additional signatures may be required if specified in national and international regulations.

l. Any reason for dissatisfaction identified by either party should be declared on the Doping Control Form before or at the time of signature. Standard Sampling Procedures should be followed as far as is reasonably practicable in each case. A minor departure from them shall not necessarily invalidate the possible finding of a prohibited substance during analysis. Only a departure which reasonably casts doubt upon the validity of a positive analysis will be entertained. A statement to this effect shall be included on the Doping Control Form and shall be drawn to the attention of the athlete prior to signature.

m. Copies of the Doping Control Form shall be available for:

i. the athlete;
ii. the national anti-doping organisation;
iii. the laboratory (with no information on the name or identification details of the athlete and accompanying representative);
iv. the national sports federation where appropriate;
v. the international sports federation, where appropriate.

Chain of Custody: (Annex C1 and C2)

n. At the site of collection, samples should be securely packed for transport in a container which is then sealed. A chain of custody form should be used to record the contents and custody of the equipment in the container from the site of collection to the laboratory.

7. Transfer of samples to the laboratory

   a. All samples shall be sent to the laboratory by a method of despatch which is secure and which has been approved by the national anti-doping organisation.

   b. Despatch shall take place as soon as reasonably possible after the controls have been completed. Samples must be held in a cold and secure place until they can be delivered to the laboratory.

8. Refusal

   A refusal by an athlete to agree to doping control procedures should be noted on the Doping Control Form. If possible, the signature of the athlete and/or a witness to the refusal should be obtained.

9. Failure to report

   If an athlete fails to report for sample collection at the agreed time, this should be noted on the Doping Control Form. Wherever possible attempts to contact the athlete within a reasonable timescale (e.g. one hour) should be made and noted.

10. Penalties

    In general, a refusal or failure to report or a refusal to provide a sample or otherwise to comply with these standard sampling procedures shall be deemed to be equivalent to a positive test.

ANNEX A

Doping control station in competition

Facilities for Doping Control should provide privacy for competitors and security for the collection procedures. They should be situated close to the competition or training area. Access to the Doping Control Station is restricted to authorised personnel only (i.e. doping control officer, selected competitors and their accompanying officials, Federation Doping Control official). The entry door to the Doping Control Station must be secure.

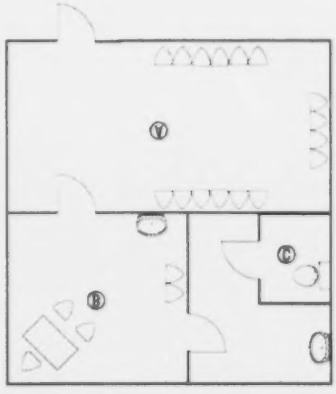
Within the station three areas are required, a waiting area, administration area and an area for sample collection. (Ideally, there should be at least two inter-connecting rooms).

The waiting area should be equipped with chairs, clothes hangers and hooks, space for an adequate supply of non-alcoholic drinks (still and carbonated) in unopened containers and a rubbish bin. In addition reading materials, television or radio are helpful to create a relaxed atmosphere.

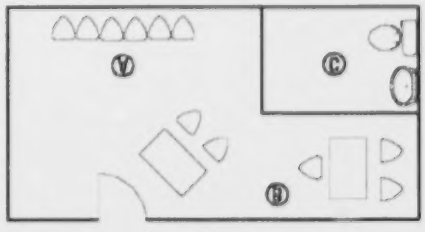
The administration area should contain table and chairs, wash basin, soap and towels. At major events involving sample collection over several days, a lockable freezer or refrigerator for storage of samples is useful. At least one WC is required in the sample collection area and separate sample collection areas should be provided for each sex being tested. Sufficient space is needed to accommodate the doping control officer and competitor in this area.

An Ideal Station

A Waiting Room
B Administration Room
C Sample Collection Room



An Alternative Arrangement



A Waiting Room
B Administration Room
C Sample Collection Room

ANNEX B1

Sampling equipment

1. Sampling equipment which is approved by national anti-doping organisations should include the following:

   a. Disposable urine collection vessels, individually sealed prior to use.

   b. Transparent bottles (of sufficient volume to ensure the total quantity of urine could be contained in 1 bottle, i.e. when collecting partial samples prior to sub-division), sealed prior to use.

   c. A unique sealing system which secures the bottles during transit and storage.

   d. Doping Control Forms to record identifying details for the samples, athlete and collection procedure. This form should consist of an original with 4 copies:

      i. the athlete
      ii. the national anti-doping organisation
      iii. the laboratory (with no information on the name or identification details of the athlete and accompanying representative)
      iv. the national sports federation where appropriate
      v. the international sports federation, where appropriate.

      Copies should be clearly indicated and differentiated by colour.

      A checklist of the information required is attached at Annex B2

   e. A secure container for transporting the sample bottles to and from the laboratory.

   f. Measurement sticks for pH and specific gravity.

   g. Chain of custody form(s).

2. There should be sufficient numbers of collection vessels, bottles and codes to allow the athlete to choose, provision for possible faulty equipment, breakages; provision for partial and second samples.

ANNEX B2

Doping Control Form/s

The Doping Control Form or Forms (for notification and for the collection procedure) should provide space for the following information:

Athlete's details:	**Control details:**	
1. Athlete's name	In competition	Y/N
2. Sport	OUT OF COMPETITION	Y/N
3. Country		
4. Identification	Event/Team/Competition	

Notification details and consequences of refusal, etc:

5. Notification Date and Place
6. Notification Time
7. Signature of doping control officer (for notification)
8. Name of doping control officer
9. Signature of Athlete
10. Consequences of refusal (para 3.III)
    "Failure to report for doping control and refusal to provide a sample are deemed to be equivalent to a positive result".
11. Procedural objections waiver (para 6.I.)
    "Standard Sampling Procedures should be followed as far as is reasonably practicable in each case. A minor departure from them shall not necessarily invalidate the possible finding of a prohibited substance during analysis. Only a departure which reasonably casts doubt upon the validity of a positive analysis will be entertained".

Collection Procedure details:
(repeat information under 5 & 6 if two forms are used)

12. Date and Place of Sample Collection
13. Time of Arrival at Doping Control Station
14. Event Code if at competition
15. Sex of Athlete
16. Total Volume of Urine
17. Partial Sample Seal Numbers (if taken)
18. Bottle Code A/B
19. Seal Numbers A/B
20. pH reading (if taken)
21. Specific gravity reading (if taken)
22. Declaration of Medications (see para 6.i)
    "...it is in his/her own interest to declare any medication or other substance taken in the relevant period prior to the control, the length of this period being specified in accordance with national/international regulations".
23. Comments
24. Signature of Athlete
25. Signature of doping control officer (to certify procedures correct)
26. Signature of International Representative (if present)
27. Signatures of Accompanying Official and Person (if present)

Recommendation

A standard form with a consistent colour scheme should be used (for distribution of copies, cf. Annex B1, item 1.d).

ANNEX C1

Chain of Custody

1. There should be a secure and documented chain of custody for the transport of sampling equipment from the despatch of the prepared equipment to the doping control officer and from the doping control officer to the laboratory. If the doping control officer opens the transport container on receipt to check the contents, the sample equipment within must remain sealed. The transport container should be resealed and the code noted.

2. Equipment (see Annex B 1, 1.a - 1.c) should be received (by the doping control officer and the athlete) sealed.

3. Once the equipment has been used, it should be sealed in a manner distinct from the first sealing system (i.e. by colour/design or other means).

4. There should be restricted access to both types of seals. The first seals (from the organisation preparing the kit to the doping control officer) should not be available outside the organisation. A secure method of ordering, delivery and storage of the seals should be implemented, and the organisation should maintain an inventory of issue.

5. A copy of the chain of custody form should be sealed inside the kit.

   Prepared -> doping control officer doping control officer -> Laboratory

6. The chain of custody form should include the following information:

   a. Control code number
   b. Week number/date
   c. Number of samples collected, A and B bottle
   d. Competition (event code) or OUT OF COMPETITION
   e. Sport/Federation
   f. Outer bag seal number on despatch - sealed by
   g. Outer bag seal number on receipt - received by
   h. Outer bag seal number on return - sealed by
   i. Sampling Kit custody details:
      i. seal numbers
      ii. released by
      iii. received by
      iv. purpose
      v. date/time
   j. Bottle numbers (seal numbers indicate bottle contains urine)

   An example is attached at Annex C2.

7. Completion of the form:

   a. On dispatch from the organisation responsible for preparing the kit, the date, seal number for transport and details of equipment enclosed in the transport container should be noted.

   b. On initial receipt, the breaking and re-sealing of the transport container by the doping control officer (or any official body, e.g. customs, security) should be noted and signed.

   c. The seal of the transport container should be broken at the collection point in the presence of witnesses (doping control officer, athlete or governing body official).

   d. The bottle and seal numbers of all samples enclosed in the transport container should be noted on the form together with the seal number for the transport bag itself. A copy of the form must be enclosed.

   e. Changes in custody of the transport container during transfer to the laboratory must be noted by signature acknowledging the seal number recorded to be correct.

   f. Any further breaking and resealing of the transport container must be also noted and agreed by signature (e.g. by an official of Customs or security).

   g. The chain of custody form may be photocopied and the copy given to signatories, the original should continue to accompany the transport container until its acceptance by:

      i. the laboratory;
      ii. an official carrier which operates its own chain of custody documentation, with signature required for transfer of ownership.

   h. The original chain of custody form should then be returned to the authority initiating the control, who will have responsibility for checking the chain of custody is complete before forwarding a report of the analysis of the governing body/athlete. In the laboratory report of the analysis, it is suggested that date, time and seal numbers are noted.

ANNEX C2

Doping Control
Sample Collection - Chain of Custody Form

The sampling kit sealed as below contains urine samples collected from sports men/women as a part of a programme of doping control. These samples are of no commercial value. They are being transported to an International Olympic Committee accredited Laboratory for analysis. The urine samples have been collected and sealed at the place of collection. Maintenance of the chain of custody is essential to ensure the security and integrity of the urine samples. When custody of the sampling kit is transferred confirmation of receipt to the sealed container must be obtained by signature of the receiving party. A photocopy of this form should be retained as written receipt. If inspection of the sampling kit is required by Customs and Excise or other authority, acknowledgement of the sealing process by the inspecting authority will assist the maintenance of this chain of custody. Opening of the inner containers will invalidate the chain of custody unless appropriate record is appended which is recognised in a court of law. For further information about the contents of the sampling kit please contact: .....

1 Event Code:	2 No of samples collected: A B	3 Outer bag seal number from Laboratory: ☐ Sealed by _____
4 Tick box as appropriate Competition ☐ OOCT ☐		5 Sport / Federation:
6 Outer bag Seal number: On receipt ☐ Received by _____	7 On return ☐ Sealed by _____	

8 Sampling kit custody details:

Seal numbers	Released by	Received by	Purpose	Date/Time
☐				
☐				
☐				
☐				
☐				

9 Bottle numbers enclosed (seal number indicates bottle contains urine sample)

A	☐	B		A	☐	B	☐
A	☐	B		A	☐	B	☐
A	☐	B		A	☐	B	☐
A	☐	B	☐	A	☐	B	☐

Recommendation No. 1/96 on disciplinary measures to be taken with regard to members of the athlete's entourage

PART 1: EXPLANATORY MEMORANDUM

1. In Article 7, Paragraph 1, of the Anti-Doping Convention, "the Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport."

2. In Paragraph 2 of the same Article it is stated that "To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their: [...]

   "e. procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;".

3. For the purposes of the present draft Recommendation it is assumed that the group of persons (referred to throughout as the "athlete's entourage") includes team officials, medical and paramedical practitioners acting either for the team of for the individual athlete, and any other person who is acting, at the time of the commission of a doping offence, in a capacity of care or authority in relation to the athlete concerned. The category therefore includes parents or other relatives, friends or acquaintances who fulfil this condition, although it is obviously difficult to envisage how appropriate jurisdictions can be made to cover some people within this group.

4. Doping case-law to date shows that the imposition of sanctions on such persons is very much rarer than the sanctioning of athletes, a state of affairs which may not necessarily reflect the true situation. The reasons are easy to understand:

   a. dope-testing programmes, both in and out of competition, are focused on athletes;

   b. the doping offence is relatively clearly definable, and the test is - in theory at least -a black-and-white matter based on the notion of strict liability;

   c. establishing the involvement of persons other than athletes in the commission of a doping offence would, on the other hand, depend on the results of an investigation procedure for collecting evidence, implying a disciplinary procedure which would be adversarial in nature;

   d. anti-doping agencies and sports governing bodies are already required to devote a major part of their resources to the judicial and quasi-judicial consequences of positive findings with respect to athletes, and could have difficulty in assuming the additional burden implicit in investigating and if appropriate sanctioning other people as well - even if in some cases this proves to be inevitable.

5. Nonetheless, increased attention to the involvement of others in doping offences is justified and necessary:

   a. if the use of performance-enhancing substances and methods is wrong, then it is obviously wrong to incite or condone it, or to incite or condone related offences such as refusal to submit to an anti-doping control;

b. morally, such conduct is doubly wrong in circumstances where officials are in a position of responsibility and authority in relation to young people, and the competent authorities might wish to consider such offences as more serious, particularly from the point of view of sentencing[7];

c. insofar as members of the athlete's entourage also have a duty of care in respect of the athlete's health, their involvement in doping offences is equally condemnable.

d. strategically, the imposition of sanctions on members of the athlete's entourage involved in doping offences may prove a more effective means of combating doping than limiting sanctions to athletes, who represent the end of the chain;

e. finally, however much stress the relevant regulations may rightly place on the athlete's personal responsibility to his sport and himself, one may question the fairness of a system whereby, to all intents and purposes, athletes are the only ones to undergo - frequently severe - sanctions whilst responsibility for the offence may well be more widely shared.

6. The Legal Issues Working Party of the Monitoring Group of the Anti-Doping Convention considered the issue of persons other than athletes involved in the commission of doping offences, initially on the basis of a discussion paper presented by the Canadian delegation. The Working Party made a number of observations concerning the legal and practical problems raised by the matter:

a. provisions for sanctioning doping-related offences other than doping or refusal to test were dealt with in a variety of ways in different countries and depending upon the circumstances of the offence. For example, it was inevitable that many such offences would come under criminal law as well as constituting breaches of disciplinary codes or codes of professional ethics, and the procedures in each domain, as well as the rules regarding the burden of proof, could be different;

b. means of encouraging participation in identifying offenders (promises of leniency, etc) could be socially divisive and had to be handled with care; there was also a danger of frivolous or malicious denunciations, requiring provisions in the procedure to discourage them;

c. the specific social conditions prevailing in sporting milieu could result either in "conspiracies of silence" whereby people protect their own, or alternatively in false accusations in fulfilment of grudges. It is unreasonable to suppose that bodies responsible for enforcing rules of this kind will have either time or the resources to conduct sophisticated investigations. It follows that the rules of evidence have to be kept simple and thus easy to manage.

7. In general it should be stated that the difficulty of establishing guilt - which is acknowledged - should not in itself be a barrier to the adoption of a Recommendation on the subject. One important role of a Recommendation is to make it clearly known to members of the athlete's entourage that they bear a share of responsibility for doping offences committed by sportspersons in their charge, and that in certain circumstances they may be held accountable. The deterrent effect of rules is, by force of circumstance, more important than any gain realised by catching and punishing people.

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[7] Two recent cases involving swimmers under the age of majority emphasise the need to take measures in this area.

8. The responsibility of people in the athletes' entourage is an important factor in the doping problem, and it is necessary in the interest of the fairness and effectiveness of anti-doping activity that more effort be dedicated to implementing the Convention's provisions in this regard.

9. A number of practical measures can be used to this end:

   a. adequate investigation, as soon as a positive sample test is found, of the circumstances surrounding the commission of the offence. This, if incorporated in anti-doping regulations, could have a deterrent effect;

   b. criminal proceedings under existing legislation on illegal possession or transfer of drugs and restricted substances, including legislation in accordance with the Monitoring Group's Recommendation No. 2/94 on measures to restrict the availability of anabolic steroids, should be brought as a matter of course in cases where grounds exist;

   c. regulations should make it clear that sanctions will be applied under anti-doping regulations even if the relevant provisions of professional and other applicable codes of conduct differ with regard to the offence established;

   d. Chapter VIII (Trafficking in Drugs) of the International Olympic Committee's Medical Code should be referred to or incorporated into sports organisations' anti-doping regulations.

PART 2:

Under the terms of Article 11.*d* of the Convention;

Recalling that, in Article 7 of the Convention, the Parties "undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport", and that to that end, to harmonise (among other things) their "procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen";

Welcoming, in this regard, Chapter VIII of the Medical Code of the International Olympic Committee on trafficking in drugs;

Considering that persons in the entourage of sportsmen and women, such as team managers, coaches, trainers, medical practitioners and any other person who occupies an equivalent position of responsibility towards them may be implicated in doping offences of which the sportsmen or women may be found guilty;

Convinced that the responsibility of people in athletes' entourages is an important factor in the doping problem, and that it is necessary in the interest of the fairness and effectiveness of anti-doping activity that more effort be dedicated to implementing the Convention's provisions in this regard;

Considering therefore that action should be taken to sanction any such persons who are found to be implicated in the commission of an offence;

Bearing in mind that the imposition of effective penalties may be dealt with in a variety of ways in different countries according to their respective legal traditions (applicability of criminal law,

disciplinary or professional codes, rules concerning the burden of proof, quality of evidence etc.) and depending upon the circumstances of the offence,

Recommends to the States Parties that effective regulations in the matter of involvement of persons other than athletes in doping offences, irrespective of the legal framework in which they are established, should be based on the following elements:

1. the definition of offences consisting in inciting or deliberately condoning either:

   a. the use of prohibited substances or methods as defined in the Convention (including the procurement or supply of prohibited substances); or

   b. the contravention of anti-doping regulations including the avoidance of controls;

2. the designation of the persons who are in a position to be involved in the commission of a doping offence, and the assurance that all relevant persons are subject, either by contract or under the terms of an appropriate disciplinary code, to an obligation not to commit or be a party to such offences;

3. the establishment of appropriate mechanisms for the investigation of allegations related to such offences and of the circumstances surrounding positive sample tests;

4. the provision of appropriate sanctions either by way of legislation or through the regulations of sports organisations (e.g. withdrawal of recognition or licence (to be applicable throughout sport) or banning from relevant premises, etc. for an appropriate period) to be imposed on those found guilty of such offences;

5. the establishment of an independent mechanism to review decisions taken by the competent bodies in respect of such offences or to hear appeals against them.

Resolution No. 1/97 on the Approval of a new reference list of prohibited pharmacological classes of doping agents and doping methods

The Monitoring Group of the Anti-Doping Convention;

Having regard to Article 2 of the Convention concerning the definition of doping and the scope of the Convention;

Pursuant to Article 11.1.a and b of the Convention, under which the Monitoring Group is responsible for approving the list, and any revision thereto, of pharmacological classes of doping agents and doping methods banned by the relevant international sports organisations;

Recalling that, in previous years, the Monitoring Group approved at its meetings the list of "Prohibited Classes of Substances and Prohibited Methods" drawn up by the International Olympic Committee;

Recalling that approval took the form of a simple decision by the Monitoring Group, under which the list applied to all its members;

Considering that adoption of the reference list, pursuant to Article 11.1.b of the Convention, in the form of a resolution will provide a sound legal basis for its application in the States Parties to the Convention;

Having studied the list of prohibited classes of substances and prohibited methods, as adopted by the Executive Board of the International Olympic Committee at its meeting on 17 November 1996, which took effect on 31 January 1997;

Decides to adopt the said list as the reference list of pharmacological classes of doping agents and doping methods appended to the Convention.

The "Reference list of pharmacological classes of doping agents and doping methods", adopted at the same time as the Convention (1989) is not reproduced in this Volume, as it is out-of-date. The current list approved by the Monitoring Group is regularly updated and can be found on the Council of Europe's homepage on Sport: http://culture.coe.fr

Recommendation No. 1/97 on disciplinary measures to be taken with regard to members of the athlete's entourage and protection of minors

PART 1: EXPLANATORY MEMORANDUM

1. In Article 7, Paragraph 1, of the Anti-Doping Convention, "the Parties undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport."

2. In Paragraph 2 of the same Article it is stated that "To this end, they shall encourage their sports organisations to clarify and harmonise their respective rights, obligations and duties, in particular by harmonising their: [...]

   "e. procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen;".

3. For the purposes of the present draft Recommendation it is assumed that the group of persons (referred to throughout as the "athlete's entourage") includes team officials, medical and paramedical practitioners acting either for the team of for the individual athlete, and any other person who is acting, at the time of the commission of a doping offence, in a capacity of care or authority in relation to the athlete concerned. The category therefore includes parents or other relatives, friends or acquaintances who fulfil this condition, although it is obviously difficult to envisage how appropriate jurisdictions can be made to cover some people within this group.

4. Doping case-law to date shows that the imposition of sanctions on such persons is very much rarer than the sanctioning of athletes, a state of affairs which may not necessarily reflect the true situation. The reasons are easy to understand:

   a. dope-testing programmes, both in and out of competition, are focused on athletes;
   b. the doping offence is relatively clearly definable, and the test is - in theory at least -a black-and-white matter based on the notion of strict liability;
   c. establishing the involvement of persons other than athletes in the commission of a doping offence would, on the other hand, depend on the results of an investigation procedure for collecting evidence, implying a disciplinary procedure which would be adversarial in nature;

d. anti-doping agencies and sports governing bodies are already required to devote a major part of their resources to the judicial and quasi-judicial consequences of positive findings with respect to athletes, and could have difficulty in assuming the additional burden implicit in investigating and if appropriate sanctioning other people as well - even if in some cases this proves to be inevitable.

5. Nonetheless, increased attention to the involvement of others in doping offences is justified and necessary:

a. if the use of performance-enhancing substances and methods is wrong, then it is obviously wrong to incite or condone it, or to incite or condone related offences such as refusal to submit to an anti-doping control;
b. morally, such conduct is doubly wrong in circumstances where officials are in a position of responsibility and authority in relation to young people, and the competent authorities might wish to consider such offences as more serious, particularly from the point of view of sentencing[8];
c. insofar as members of the athlete's entourage also have a duty of care in respect of the athlete's health, their involvement in doping offences is equally condemnable.
d. strategically, the imposition of sanctions on members of the athlete's entourage involved in doping offences may prove a more effective means of combating doping than limiting sanctions to athletes, who represent the end of the chain;
e. finally, however much stress the relevant regulations may rightly place on the athlete's personal responsibility to his sport and himself, one may question the fairness of a system whereby, to all intents and purposes, athletes are the only ones to undergo - frequently severe - sanctions whilst responsibility for the offence may well be more widely shared.

6. The Legal Issues Working Party of the Monitoring Group of the Anti-Doping Convention considered the issue of persons other than athletes involved in the commission of doping offences, initially on the basis of a discussion paper presented by the Canadian delegation. The Working Party made a number of observations concerning the legal and practical problems raised by the matter:

a. provisions for sanctioning doping-related offences other than doping or refusal to test were dealt with in a variety of ways in different countries and depending upon the circumstances of the offence. For example, it was inevitable that many such offences would come under criminal law as well as constituting breaches of disciplinary codes or codes of professional ethics, and the procedures in each domain, as well as the rules regarding the burden of proof, could be different;
b. means of encouraging participation in identifying offenders (promises of leniency, etc) could be socially divisive and had to be handled with care; there was also a danger of frivolous or malicious denunciations, requiring provisions in the procedure to discourage them;
c. the specific social conditions prevailing in sporting milieu could result either in "conspiracies of silence" whereby people protect their own, or alternatively in false accusations in fulfilment of grudges. It is unreasonable to suppose that bodies responsible for enforcing rules of this kind will have either time or the resources to conduct sophisticated investigations. It follows that the rules of evidence have to be kept simple and thus easy to manage.

[8] Two recent cases involving swimmers under the age of majority emphasise the need to take measures in this area.

7. In general it should be stated that the difficulty of establishing guilt - which is acknowledged - should not in itself be a barrier to the adoption of a Recommendation on the subject. One important role of a Recommendation is to make it clearly known to members of the athlete's entourage that they bear a share of responsibility for doping offences committed by sportspersons in their charge, and that in certain circumstances they may be held accountable. The deterrent effect of rules is, by force of circumstance, more important than any gain realised by catching and punishing people.

8. The responsibility of people in the athletes' entourage is an important factor in the doping problem, and it is necessary in the interest of the fairness and effectiveness of anti-doping activity that more effort be dedicated to implementing the Convention's provisions in this regard.

In the case of minors in sport the responsibility which is incumbent on the entourage is certainly more important. The protection of minors found guilty of a doping offence must be reinforced.

9. A number of practical measures can be used to this end:

   a. adequate investigation, as soon as a positive sample test is found, of the circumstances surrounding the commission of the offence. This, if incorporated in anti-doping regulations, could have a deterrent effect;
   b. criminal proceedings under existing legislation on illegal possession or transfer of drugs and restricted substances, including legislation in accordance with the Monitoring Group's Recommendation 2/94 on measures to restrict the availability of anabolic steroids, should be brought as a matter of course in cases where grounds exist;
   c. regulations should make it clear that sanctions will be applied under anti-doping regulations even if the relevant provisions of professional and other applicable codes of conduct differ with regard to the offence established;
   d. Chapter VIII (Trafficking in Drugs) of the International Olympic Committee's Medical Code should be referred to or incorporated into sports organisations' anti-doping regulations.

PART 2:

Under the terms of Article 11.*d* of the Convention:

Recalling that, in Article 7 of the Convention, the Parties "undertake to encourage their sports organisations and through them the international sports organisations to formulate and apply all appropriate measures, falling within their competence, against doping in sport", and that to that end, to harmonise (among other things) their "procedures for the imposition of effective penalties for officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations by sportsmen and sportswomen";

Welcoming, in this regard, Chapter VIII of the Medical Code of the International Olympic Committee on trafficking in drugs;

Considering that persons in the entourage of sportsmen and women, such as team managers, coaches, trainers, medical practitioners and any other person who occupies an equivalent position of responsibility towards them may be implicated in doping offences of which the sportsmen or women may be found guilty;

Convinced that the responsibility of people in athletes' entourages is an important factor in the doping problem, and that it is necessary in the interest of the fairness and effectiveness of anti-doping activity that more effort be dedicated to implementing the Convention's provisions in this regard;

Considering therefore that action should be taken to sanction any such persons who are found to be implicated in the commission of an offence;

Bearing in mind that the imposition of effective penalties may be dealt with in a variety of ways in different countries according to their respective legal traditions (applicability of criminal law, disciplinary or professional codes, rules concerning the burden of proof, quality of evidence etc.) and depending upon the circumstances of the offence;

Believing that athletes who are minors require special protection in such circumstances;

Recommends to the States Parties that effective regulations in the matter of involvement of persons other than athletes in doping offences, irrespective of the legal framework in which they are established, should be based on the following elements:

1. the definition of offences consisting in inciting or deliberately condoning either:

   a. the use of prohibited substances or methods as defined in the Convention (including the procurement or supply of prohibited substances); or
   b. the contravention of anti-doping regulations including the avoidance of controls;

2. the designation of the persons who are in a position to be involved in the commission of a doping offence, and the assurance that all relevant persons are subject, either by contract or under the terms of an appropriate disciplinary code, to an obligation not to commit or be a party to such offences;

3. the establishment of appropriate mechanisms for the investigation of allegations related to such offences and of the circumstances surrounding positive sample tests;

4. the provision of appropriate sanctions either by way of legislation or through the regulations of sports organisations (e.g. withdrawal of recognition or licence (to be applicable throughout sport) or banning from relevant premises, etc. for an appropriate period) to be imposed on those found guilty of such offences;

5. the establishment of an independent mechanism to review decisions taken by the competent bodies in respect of such offences or to hear appeals against them;

6. the invariable launching of an investigation, based on the above principles, amongst the entourage of an athlete who is a minor and found guilty of a doping offence.

Recommendation No. 1/98 on standard operating procedures at doping control laboratories [procedures for non-analytical phases]

The Monitoring Group of the Anti-Doping Convention, under the terms of Article 11.1.d of the Convention,

Whereas under Article 3 of the Anti-Doping Convention the Parties undertake to co-ordinate the policies and actions of their government departments and other public bodies concerned with combating doping in sport;

Whereas in Article 7 of the Convention the Parties undertake to encourage their sports organisations to harmonise their doping control procedures;

Considering that such standards could also provide a firm basis of confidence upon which to build bilateral and multilateral agreements on all aspects of doping control between organisations, bodies and countries party to the Convention;

Considering that this would also encourage other sports organisations and countries to seek common standards;

Convinced of the need to establish standard operating procedures at the laboratory phase;

Considering that such common operating standards would ensure a fair and equitable system for athletes;

Recalling its Recommendation No. 1/95 of the Monitoring Group of the Anti-Doping Convention to Parties;

Recalling its Recommendation No. 1/97 of the Monitoring Group of the Anti-Doping Convention to Parties;

Having studied the International Olympic Committee's Medical Code and relevant disciplinary procedures adopted within the international sports federations;

Having discussed this Recommendation with international and European sports organisations;

Recommends that Parties to the Anti-Doping Convention include, or where appropriate, strongly urge the national sports bodies concerned to include, in their Anti-Doping Regulations or other appropriate texts, *Standard Operating Procedures at doping control laboratories* based on those appended to the present Recommendation.

APPENDIX

Background

1. At its 2nd meeting (Paris, 17 - 18 October 1994), the Working Party on Legal Issues considered the question of overturning of positive results. Among the problems identified by the Working Party in connection with this issue were:

   a. difficulties in the relationships between testing authorities and laboratories;
   b. incompatibility of sanctions between, for example, national and international federations concerned with the same sport;
   c. latitude in admitting the defence of inadvertent use;
   d. problems associated with the chain of custody;
   e. difficulties in interpreting "borderline" testosterone/epitestosterone ratios.

   At the end of its debate, the Working Party expressed agreement with the Secretariat's suggestion that a draft Recommendation should be prepared concerning standard operating procedures subsequent to sample collection.

2. The Working Party on Technical Questions debated the issue at its meeting on 17 November 1994, and added a number of further considerations:

   a. the absence of internationally agreed rules and procedures in a number of important areas;
   b. uncertainty as to who should initiate disciplinary proceedings against positive-testing athletes: the country of origin, or the country in which the sample had been taken?;
   c. equal uncertainty about who takes financial responsibility for the growing costs of such proceedings;
   d. the absence of an international mechanism of co-operation on the management of test results.

   The Working Party considered that the proposed draft Recommendation should not simply take up the anti-doping procedures where Recommendation No. 1/95 left off, but should provide for certain matters before the sampling process, such as agreements as to the sharing out of responsibilities prior to events[9]

Objective

3. Recommendation No. 1/95 of the Monitoring Group deals with "Standard Urine Sampling Procedures for Doping Control". Its last operative paragraph is entitled: "7. TRANSFER OF SAMPLES TO THE LABORATORY". It is the purpose of this paper to pursue the principles of Recommendation No. 1/95 to the subsequent phases of doping control, from the laboratory to, where relevant, the disciplinary procedures.

4. The purpose of the Monitoring Group in adopting Recommendation No. 1/95 was to provide national anti-doping agencies, national sports bodies and international sports federations with a common set of guidelines on the basis of which they can construct their detailed regulations: the preamble to the Recommendation says that "common operating control procedures would ensure a fair and equitable system for athletes; ... a firm basis [for] agreements for doping control between countries; ... encourage other sports organisations and countries to seek

[9] This suggestion can be followed up once the Monitoring Group has conducted its discussions on the 'conflict of jurisdictions'

common standards". Based upon the procedures already developed by the International Olympic Committee (IOC), the International Amateur Athletic Federation (IAAF) and several national bodies within the Monitoring Group, the Recommendation provides a basis for the necessary further harmonisation of such procedures. Recommendation No. 1/94 was adopted by IOC Medical Commission (Harmonisation) and distributed to its corresponding partners as a source of inspiration and common guidelines.

5. The objective of this present text is to provide anti-doping organisations with a similar set of standard operating procedures for the subsequent phases of doping control: notably at the laboratory. **It should be stressed that it is not the intention of this text to set down any proposals on the *analytical techniques* used in laboratories for the detection of prohibited substances or methods.** That is a matter for the appropriate specialists. It is also understood that at all stages of operating procedures the analysis will be conducted according to Good Laboratory Practice (GLP). This text confines itself to the procedural aspects while the sample is at the laboratory.

Standard operating procedures at doping control laboratories[10] [procedures for non analytical phases]

1. Chain of custody from the doping control point to the Laboratory

   a. There should be a secure and documented chain of custody for the transport of sampling equipment from the despatch of the prepared equipment to the doping control officer and from the doping control officer to the laboratory. If the doping control officer opens the transport container on receipt to check the contents, the sample equipment within must remain sealed. The transport container should be resealed and the code noted. Only authorised personnel may handle specimens to be tested and they shall sign chain of custody forms to the document when the specimens are in their possession.

   b. Equipment should be received (by the doping control officer and the athlete) sealed.

   c. Once the equipment has been used, it should be sealed in a manner distinct from the first sealing system (i.e. by colour/design or other means).

   d. There should be restricted access to both types of seals. The first seals (from the organisation preparing the kit to the doping control officer) should not be available outside the organisation. A secure method of ordering, delivery and storage of the seals should be implemented, and the organisation should maintain an inventory of issue.

   e. A copy of the chain of custody form should be sealed inside the kit.

   f. The chain of custody form should include the following information:
      i. Control code number
      ii. Week number/date
      iii. Number of samples collected, A and B bottle/container
      iv. Competition (event code) or out of competition
      v. Sport/Federation
      vi. Outer bag seal number on despatch - sealed by

[10] This text has been drafted by the Secretariat on the basis of the standard operating procedures for urine samples R. No. 1/95, and many of these principles are also applicable should blood samples be used. The final decision whether to include provision for blood samples or not in this document will fall on the Monitoring Group.

vii. Outer bag seal number on receipt - received by
viii. Outer bag seal number on return - sealed by
ix. Sampling Kit custody details:
- seal numbers
- released by
- received by
- purpose
- date/time

x. Bottle/container numbers (seal numbers indicate bottle contains urine)

g. Despatch form indicating reception by the laboratory.

2. Reception and storage of the sample at the laboratory

a. Secure transport and containers

All samples shall be sent to the laboratory by a method of despatch or carrier which is secure and which has been approved by the national [competent] anti-doping organisation.

b. Despatch shall take place as soon as reasonably possible after the controls have been completed. An authorised person at the receiving laboratory shall verify the code number, seals, forms, total number of samples and shall sign the chain of custody form and the despatch form indicating receipt.

c. The sealed B-sample specimens shall be retained and placed in a properly secure long-term storage (4C° or less) for at least 90 days in the case of a result potentially positive. Within this period a governing body may request the laboratory to retain the specimen for an additional period of time. If no such request is submitted, the specimen may be discarded. However, specific national programmes may have longer storage requirements.

d. The B-sample bottles must be kept under locked conditions at all times. Any risk of exposure to sun light or other external factors that could deteriorate the sample must be avoided. Only the head of the laboratory (or a designated delegate) shall have access to the B-specimens.

e. The laboratory is responsible for the integrity of samples from the moment when the authorised person has signed the chain of custody and receipt form.

f. The laboratory shall use appropriate security measures and facilities to ensure limited and/or controlled access to the samples.

3. Sample Analysis

a. The analysis of the A-sample shall be performed as soon as reasonably possible after arrival at the Doping Control Laboratory.

b. The samples shall be screened in accordance with the standard analytical techniques and GLP.

c. Any declaration of the athlete about any medication or other substance taken in the relevant period prior to the control should be recorded on the Doping Control Form by the athlete or the doping control officer as stated in para. 6.i. of the Recommendation No. 1/95 and transmitted to the laboratory together with samples. If the athlete declines to make a declaration, this shall be recorded on the Doping Control Form.

d. Such information must be treated in the strictest confidence by all who have access to it.

e. In addition to the head of laboratory and the laboratory staff, only the head or authorised member of the Anti-Doping Commission/Anti-doping organisation shall be admitted to the laboratory during the A-sample analysis.

f. Proper chain of custody controls shall always be enforced during all testing and specimen handling. Only authorised personnel may handle specimens to be tested and they shall sign chain of custody forms to document when specimens are in their possession. Authorised technicians shall sign the chain of custody forms and be responsible for each specimen to be tested.

g. If the analysis of the A-sample is positive, the following procedures will be followed.

4. The quorum necessary for the destorage and analysis of the B sample

a. The B-sample can be destored and analysed after the responsible officer of the laboratory gives his/her authorisation, in accordance with the timescale agreed with the relevant organisation that authorised the control.

b. The destorage and analysis of the B-sample will be performed in the same laboratory having performed the A-sample, in the presence of the representative of the federation, the representative of the sports person with the positive A-sample, the head of the Anti-Doping Commission/Anti-doping organisation and the head of laboratory.

c. Before proceeding to the B-sample analysis the witnesses and the head of the laboratory should sign a report that describes the status of the sealing and coding of the B-sample. If the status of the sample is deemed acceptable by the head of the laboratory, the B-sample analysis will proceed.

d. A report on the analysis of the B-sample, including a document on the analytical results, will be passed to the responsible authority.

e. If the B-sample is positive, the head of laboratory may submit his opinion (in writing and duly signed/sealed) to the Anti-Doping Commission/Anti-doping organisation on whether there may be any mitigating circumstances surrounding the use of a banned substance or method.

5. Description of the form of the report of the analytical phase

a. The report shall contain the number of specimens assigned by the submitting authority, the specimen identification number and results of the screening analysis for banned substances and methods. All specimens negative on the initial test or negative on the confirmatory test shall be reported as negative. Only specimens confirmed positive will be reported positive for a specific banned substance or method. Results may be

transmitted by various electronic means (e.g. teleprinters, facsimile or computer). The official report duly signed by the responsible technician and head of laboratory and countersigned by those entitled to be present and with an official stamp shall be sent by mail and sealed. Copies of all analytical results shall be available from the laboratory when requested by an appropriate authority.

b. The following reporting format for positive analytical results on sample B shall be used:

i. Administration

- Code number
- Name and date of competition/ out of competition/place of control
- Name of collecting body
- Date of receipt of samples at the laboratory
- Confirmation that the seal of the box was intact
- Confirmation that the seal of the bottle/container (sampling kit) was intact

ii. Analytical results, for both A-and B-samples

- pH, density and appearance of the sample, determined in the laboratory
- Generic name and quantities of the identified substance(s) or methods, the testosterone/epitestosterone ratio, the caffeine concentration according to the thresholds indicated in the current reference list.

The laboratory should also be prepared to supply the following information for the benefit of the athlete involved and the appropriate organisation, delegation or international federation in connection with the identification of the substance(s) or anomalies recorded in 5.b.ii. above:

- summary of the analytical procedures performed in the screening and in the identification stages;
- copies of the analytical data relevant to establishing the presence of banned substances or anomalies.

c. The report should be sent to:

i. The authority that conducted the doping control
ii. The relevant sports federation or organisation
iii. The national anti-doping body (if applicable).

6. Procedures guaranteeing the confidentiality of such reports

a. The drug-testing laboratory shall perform all work with its own personnel and equipment and within its premises, unless otherwise authorised by the supervising body (National Anti-Doping Commission or other, according to the relevant regulations).

b. The report and other relevant data should be protected according to the national or/and international regulations and the general principles of data protection.

c. The laboratory should take every step to ensure that only the authorised persons are informed of the result; such authorised persons must not inform unauthorised persons.

7. Minor irregularities

   a. Minor irregularities, which cannot reasonably be considered to have affected the results of otherwise valid tests, shall have no effect on such results. Minor irregularities do not include the chain of custody of the sample, improper sealing of the container(s) in which the sample is stored, failure to request the signature of the athlete or failure to provide the athlete with an opportunity to be present or be represented at the opening and analysis of the "B" sample.

Recommendation No. 2/98 on basic principles for disciplinary phases of doping control

The Monitoring Group of the Anti-Doping Convention, under the terms of Article 11.1.d of the Convention,

Considering that under Article 3 of the Anti-Doping Convention the Parties undertake to co-ordinate the policies and actions of their government departments and other public agencies concerned with combating doping in sport;

Considering that under Article 7 of the Convention the Parties undertake to encourage their sports organisations to harmonise their doping control procedures and notably, in Article 7.2.d; their:

> "disciplinary procedures, applying agreed international principles of natural justice and ensuring respect for the fundamental rights of suspected sportsmen and sportswomen; these principles will include:
>
> - the reporting and disciplinary bodies to be distinct from one another;
> - the right of such persons to a fair hearing and to be assisted or represented;
> - clear and enforceable provisions for appealing against any judgement made";

Being of the opinion that these principles could also provide a reliable and solid basis for the conclusion of bilateral and multilateral agreements in the fight against doping between organisations, agencies and countries Party to the Convention;

Being of the opinion that this would also encourage other countries and sports organisations to seek common standards;

Convinced of the need to establish common principles for disciplinary phases following doping control;

Being of the opinion that these common principles would ensure the fair and equitable treatment of athletes;

Recalling the Recommendation No. 1/95 of the Monitoring Group of the Anti-Doping Convention to Parties;

Recalling the Recommendation No. 1/97 of the Monitoring Group of the Anti-Doping Convention to Parties;

Having studied the International Olympic Committee's Medical Code and relevant disciplinary procedures adopted by the international sports federations;

Having examined this Recommendation with International and European sports organisations;

Recommends that Parties to the Anti-Doping Convention include, or where appropriate, strongly urge the national sports bodies concerned to include, in their Anti-Doping Regulations or other appropriate texts, *Basic principles for disciplinary phases of doping control* based on those appended to the present Recommendation.

APPENDIX

Basic principles for disciplinary phases of doping control

Anti-Doping Commission

1. Description of powers, competence and composition of the "Anti-Doping Commission" and similar bodies in national agencies

   a. An independent body, either within the sport organisation or in national agencies, should be set up for the management of doping control results. This could be an "Anti-Doping Commission" or a similar body and responsible for organising all doping related matters except legal decisions which should be dealt with by a disciplinary panel. The members of the "Anti-Doping Commission" should be different from those who serve on the latter.

   b. The Commission should be the body authorised to receive all laboratory results and athlete signature forms, and to review these on a confidential basis.

   c. The decision to initiate disciplinary proceedings because of a breach of the anti-doping regulations - including a refusal to submit to an official control - should be taken by the Anti-Doping Commission.

   d. The Commission should have members with competence in the following fields: law, medicine, pharmacology, analysis, as well as an experience in sports. Members should not be associated with the laboratory conducting the analyses.

2. Description of the role of Anti-Doping Commission when the A sample is positive

   a. All A-sample test results confirmed at the laboratory as analytically positive should be sent confidentially to the Anti-Doping Commission and to the other national or international authorised body or persons. The Commission should review the results to ensure that the collection process, chain of custody and collection of the data were respected.

   b. The athlete is notified by the Commission or relevant sport organisation and given a document describing the procedures that will be followed and his/her rights during these procedures, the possible sanctions, and information on the procedure for appeals.

   c. The athlete has the right to submit an explanation for the presence of a banned substance or method. In the case of a control during competition, the Anti-Doping Commission, as well as the national anti-doping agency, may interview the athlete.

   d. On the basis of the interview, the Commission may consider relevant facts and circumstances in deciding whether the positive sample constitutes a doping offence and may decide not to have the B sample analysed.

e. If the athlete admits his/her offence, disciplinary procedures may be taken on the basis of the A sample.

f. The athlete has the right to be present or to be represented during the analysis of the B sample.

g. The Commission and relevant sport organisation will make every effort to have sample B analysed as quickly as possible and in any event within 21 days after the athlete is notified.

h. Sample B is analysed in order to protect the athlete's rights. This process allows the athlete to witness the opening of the B sample, to confirm both the coding and the integrity of the bottle, and for the duplication of the results from the A-analysis (in the case of a full analysis) or for confirmation (in the case of a screen).

i. On the basis of a report by the Anti-Doping Commission, the relevant sport organisation may provisionally or temporarily suspend the person concerned from competition until the B sample is analysed and/or disciplinary proceedings are initiated.

j. A result is declared positive only when both the A and B-samples are positive or when the A-sample is positive and the athlete concerned waives the requirement that the B-sample be analysed.

Disciplinary panel

3. Description of powers, competence and composition of Disciplinary Panel

a. An analytically positive result from sample B and/or a documented refusal to submit to an official control[11] shall always lead to the initiation of appropriate disciplinary procedures.

b. A disciplinary panel should have the task of judging, as a court of first instance, all doping cases within the relevant sport organisation.

c. The name of the accused person should not be released until such a decision is taken (cf. 4.g).

d. The disciplinary panel may impose such sanctions as are appropriate for the case. These sanctions should be clear and published beforehand. If the accused person appeals against the conviction and sanctions, the latter, including any suspension, should remain in force until the appeal body overturns them. The appeal proceedings, therefore, should be organised with due expedition to avoid any potential incorrect suspension.

e. The disciplinary panel should be a body independent from the Anti-Doping Commission. Its members should be different from those who serve on the Anti-Doping Commission. The panel should be composed of experts with medical, technical and legal knowledge in anti-doping questions.

11 See Recommendation No. 1/95, Appendix, Item 10.

4. Procedures ensuring a fair hearing

   a. Following the provisions of the Convention for Protection of Human Rights and Fundamental Freedoms of the Council of Europe, in particular in Article 6.3[12], the possibility of a fair hearing and the defence of the rights of the individual suspected of an offence must be guaranteed. Every athlete shall have the right to a hearing before the relevant disciplinary body in advance any decision on sanctions is reached. This hearing should take place as soon as possible, and under normal circumstances, not later than three months after the final laboratory analysis.

   b. The right to be heard includes the right to be acquainted with the charges and the right to appear personally, to be represented, to bring forward evidence, including witnesses, or to submit a defence in writing.

   c. The accused person should be informed of the initiation of proceedings and the case against him or her in writing; the charge, and all other relevant documentary evidence and material which form the basis of the charge should be communicated to the accused person beforehand in good time.

   d. The date of each stage of the disciplinary process should be duly determined. The accused person should be given reasonable time to prepare their defence.

   e. The proceedings should be thorough and impartial.

   f. Any measure or sanction shall be communicated in writing to the accused person or any other parties concerned.

   g. The Disciplinary Panel and its members shall maintain in strict confidentiality the results of all testing and the identities of everyone involved in the doping control proceedings (cf. 3.c.). The violation of the professional secrecy should be sanctioned.

   h. Disciplinary Panels should adopt **rules of procedures,** which are clear and enforceable, based on the principles set out in this chapter to ensure a fair hearing.

5. Guidelines for sanctions

   a. Countries or sport bodies concerned should provide in their regulations for imposition of sanctions against doping offence. The sanctions should be sufficient for the offence proved, based on the severity of the infraction, and not encourage disregard for the regulations.

   b. These sanctions should be consistent (i.e., having similar effects) both between different sports in one country and between International Federations.

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[12] Article 6.3 : Everyone charged with a criminal offence has the following minimum rights:
   a. to be informed promptly, in a language which he understands and in detail, of the nature and cause of the accusation against him;
   b. to have adequate time and facilities for the preparation of his defence;
   c. to defend himself in person or through legal assistance of his own choosing or, if he has not sufficient means to pay for legal assistance, to be given it free when the interests of justice so require;
   d. to examine or have examined witnesses against him and to obtain the attendance and examination of witnesses on his behalf under the same conditions as witnesses against him;
   e. to have the free assistance of an interpreter if he cannot understand or speak the language used in court.

c. Appropriate sanctions should also be planned and imposed to any refusal or failure to report or refusal to provide a sample.

d. Disciplinary panels should always investigate how the athlete concerned breached the regulations. They may take account of any mitigating factors.

e. Violations of anti-doping rules involving the supplying, administration and trafficking of doping substances should be regarded as serious offences. The sanctions levied for these actions should appropriately reflect even more severe sanctions than those provided for the cases of doping offences.

f. The sanctions applied to an individual found guilty of a doping infraction in one event or sport, should apply fully with regard to participation in all other events and sports and be respected by other authorities or sports for the length of the penalty period.

g. Appropriate sanctions should also be applied to any members of the athlete's entourage involved in the doping offence such as officials, doctors, veterinary doctors, coaches, physiotherapists and other officials or accessories associated with infringements of the anti-doping regulations. (Recommendation No. 1/97 on disciplinary measures to be taken with regard to members of the athlete's entourage and protection of minors, in application of Article 7.2.e of the Convention).

Appeals

5. Provisions for appeals

a. Sports organisations should ensure maximum respect for human rights and the principles of fair and impartial justice in the application of disciplinary procedures, particularly by respecting the distinction between the judicial and the executive power, and hence the independence of bodies concerned, so as to guarantee the right to defence, the right to be heard, and the right to appeal.

b. In accordance with this principle any person found guilty of a doping infraction should be informed of the judgement and of his/her right of appeal to a body empowered to hear such appeals, and the method for lodging such an appeal.

c. Such an independent body could be constituted within the sports system – at national and/or international level. This body may also be the arbitration body (cf. 7.).

d. The Appeal Board members should be different from those who serve on the Disciplinary Panel. These members are to be knowledgeable in anti-doping procedures and are to be experienced in the field of anti-doping in sports.

e. The Appeal Board should have the authority to review completely the decision taken by the Disciplinary Panel and to modify the sanctions imposed. This body should ensure that the original hearing and examination are in accordance with the principles of natural justice as set out in 4.

f. The principles of a fair hearing as outlined at 4. above should also apply to the proceedings within the appeal process.

6. Appeal Boards

   a. The principles set out in 3. and 4. above should be adapted for Appeal Boards. As the Anti-Doping Commission is completely separate in powers and composition from the Disciplinary Panel, so the Appeal Board should be completely separate from the Disciplinary Panel as well.

7. Provisions encouraging the use of sports arbitration in cases of dispute

   a. Sports organisations could provide the possibility to submit disputes concerning the application of their doping control rules to an independent sport arbitration body.

   b. The arbitration body could be constituted within the sports system - at national and/or international level.

Other

8. Provisions under which the athlete accepts authority if it conforms to the above principles and common standards

   a. Sports organisations should provide in their regulations the signature of a declaration by athletes showing that they are informed of the anti-doping regulations and that they agree to abide by them, that they will take part in any doping control activity organised by an appropriate body, including any authorised or official doping control at any time, and that they are aware of the possible consequence of any infraction.

9. Provisions enabling sports organisations and anti-doping agencies to adapt anti-doping regulations quickly in cases of necessity (e.g., adoption of new lists of banned substances and methods)

   a. Sports organisations should adopt anti-doping regulations in conformity with the national anti-doping policy and with the principles of the relevant international sports organisations. These regulations should be regularly revised and updated to adapt them to current circumstances and knowledge.

Recommendation No. 3/98 on Blood Sampling For Doping Medical Controls

The Monitoring Group of the Anti-Doping Convention, under the terms of Article 11.1.d of the Convention,

Whereas under Article 3 of the Anti-Doping Convention the Parties undertake to co-ordinate the policies and actions of their government departments and other public bodies concerned with combating doping in sport;

Whereas in Article 7 of the Convention the Parties undertake to encourage their sports organisations to harmonise their doping control procedures;

Considering that common principles for control procedures would ensure a fair and equitable system for athletes;

Being conscious that the procedures and techniques used in doping control should respect the individual rights of all sports persons;

Having studied the provisions of the Convention on Human Rights and Biomedicine of the Council of Europe;

Having discussed this Recommendation with international and European sports organisations;

Recalling that the principles of the Recommendation No. 1/95 of the Monitoring Group are relevant, *mutatis mutandis*, for blood sampling;

Being conscious that additional principles should be taken into account in view of the more intrusive character of blood sampling;

Recommends that Parties to the Anti-Doping Convention include, or where appropriate, strongly urge the national sports bodies concerned to include, in their Anti-Doping Regulations, the basic principles for blood testing for anti-doping control appended to the present Recommendation, for implementation if and when blood sampling is introduced.

Appendix
Basic principles for blood testing for anti-doping control

1. Introduction

   a. The role of the Monitoring Group of the Anti-Doping Convention is to ensure for its part that the struggle against doping in sport is conducted as effectively as possible. However, the Monitoring Group, conscious of the need to protect the individual rights of all sports persons, maintains that there is an obligation upon the sports movement as a whole to ensure that the procedures and techniques used in doping control respect those rights.

   b. Accordingly, it affirms that doping controls should always be as non-intrusive as the available technology permits, and that where blood-testing is concerned, this should only be resorted to when the use of urine as a control medium is incapable of procuring the desired effect.

   c. For this purpose, the Monitoring Group states that, whilst the taking of capillary blood samples in quantities expressed in microlitres is in practical terms less intrusive than taking venous blood samples in quantities expressed in millilitres, the same ethical and legal considerations (and thus the present list of basic principles) apply to both categories of samples.

2. Necessity

   The body or bodies wishing to take blood samples for the purpose of anti-doping control or related research must be able to show that there is a clear scientific need for blood samples in addition to urine samples.

3. Free and informed consent

   a. Sports federations and other competent bodies, which intend to practice blood sampling for doping control, must ensure that:

i. the authority to do so is enshrined in their anti-doping rules;

ii. sportsmen and women liable to be tested (or in the case of minors, their parent or guardian) explicitly acknowledge that authority when accepting the rules of the governing body or other agency;

iii. information, which is a prerequisite of consent, must be given in clear and accessible language, must mention the existence of blood sampling, the sampling method used, the frequency of samples allowed and, especially, the risks of intravenous tests.

b. Sports federations and other competent bodies have an obligation, before instituting controls, fully to inform sportsmen and women (or in the case of minors, their parent or guardian), when they accede to a level of competition at which they become liable to doping controls, concerning the implications of their consent. They should be able to furnish proof, in the case of a dispute, that this obligation has been discharged. If this obligation is satisfied, sports organisations may sanction refusal to submit for testing, but can in no other way enforce such testing.

c. Where sports federations or other competent bodies intend to use blood samples for purposes other than doping control (e.g. research), specific consent shall be obtained from the subject on each occasion. Neither refusal to give such consent nor positive results found in pursuance of research activities shall be recorded or attract any sanction.

4. Risk and responsibility

a. Sports federations and other competent bodies authorised under the terms of 3.a. and 3.b. above to take blood samples must take all appropriate measures to reduce medical risk to the athletes as far as possible.

b. Accordingly, all blood samples must be taken in a medically and scientifically satisfactory way and carried out by appropriately trained staff.

c. The procedures adopted for the taking of blood samples must clearly assign liability for any mishaps that may occur as a result of blood sampling.

d. The organisation to which such liability is assigned must be able to demonstrate that it is adequately covered by insurance related to all conceivable risks.

5. Others

a. Medical authorities should be consulted on the most appropriate time of testing not only during competition but also out of competition.

b. Multiple tests should be avoided.

c. A technical guide to procedures for the collection of blood samples was also approved by the Monitoring Group at the 9th meeting, for the attention of those requiring such information and guidance.

Part Six

Meeting reports and conclusions of the Monitoring Group of the Anti-doping Convention (T-DO)

Summary of report of 1st Meeting of the Monitoring Group (1990)

At its first meeting, the Monitoring Group:

- adopted its rules of procedures
- elected Mr Hans B. Skaset (Norway) Chairman, and Mr John Vaughan (United Kingdom) Vice-Chairman;
- approved a revised list of banned doping agents and methods for entry into force on 1 September 1990;
- noted progress in implementing articles of the Convention by Contracting Parties and by many signatory States and other observers;
- made proposals to the Committee of Ministers on States which might be invited to accede to the Convention;
- agreed on a number of observers to invite to a future meeting or meetings;
- agreed to hold its 2nd meeting on 20-21 June1991.

Summary of report of 2nd Meeting of the Monitoring Group (1991)

The Monitoring Group of the Anti-Doping Convention, at its 2nd meeting in Strasbourg on 20-21 June 1991:

- noting that 11 States were already contracting Parties, welcomed the prospect of several more accessions in the near future;
- heard reports on national anti-doping work from all States present and considered that the provisions of the Convention were being implemented on a very wide scale;
- set up working groups on Research, Legislative Measures, Education and Information, Technical Questions and a Data Base, to make proposals for the next meeting;
- initiated co-operation with the Commission of the European Communities;
- considered that further efforts towards co-ordination of international doping measures was a priority for its future work.

Summary of report of 3rd Meeting of the Monitoring Group (1992)

The Monitoring Group:

- held a consultation with representatives of European Sports Associations to discuss matters of common interest and future co-operation;

- amended its Rules of Procedure to include provisions for an emergency procedure to amend the list of banned substances and methods appended to the Anti-Doping Convention;

- welcomed the interest shown by the government of Brazil to be invited to accede to the Anti-Doping convention, and hoped that the Committee of Ministers would respond favourably to this;

- recommended to the Committee of Ministers that the government of Australia be invited to accede to the Anti-Doping Convention.

- In accordance with Article 10.4 of the Convention, unanimously decided to invite the governments of Australia and Brazil to be represented at its next meeting by an observer.

Summary of report of 4th Meeting of the Monitoring Group (1993)

The Monitoring Group:

- held a consultation with representatives of European Sports Federations to discuss matters of common interest and future co-operation, and agreed a number of principles on common rules and regulations;

- had an exchange of views with representatives of the World Health Organisation, the President of the International Olympic Committee's Medical Commission, and the International Amateur Athletics Federation;

- adopted a revised version of the reference List of banned substances and methods appended to the Anti-Doping Convention;

- gave preliminary approval to a draft Recommendation on Standard Sampling Procedures, to be adopted by Parties by written procedure, which would become effective on 1 October 1993;

- renewed the Terms of Reference of its Working Parties on Anti-Doping education, Technical Questions, Research and Legislative Measures;

- had an in-depth discussion on blood tests for anti-doping purposes;

Summary of report of 5th Meeting of the Monitoring Group (1994)

List of items discussed and decisions taken

The Monitoring Group:

- reviewed the state of signatures and ratifications of the Convention;

- adopted the report of its 4th meeting;

- discussed the future extension of membership of the Convention in the light of Unesco's decision not to draw up a legal instrument in the field;

- reviewed the national reports received from States Parties to the Convention;

- held an exchange of views with the International Olympic Committee covering, in particular, the meeting in Lausanne on 13 January 1994 and the creation of the Court of Arbitration for Sport; the meeting held on 8 December with the European Pharmacopoeia; the new list of banned substances and the future frequency of issuing lists; blood sampling; and the future of the International Working Group and the Permanent World Conference;

- heard reports by Federations;

- considered progress in the co-operation project with the European Pharmacopoeia;

- heard reports from its Working Parties on Technical questions, Research and Legal issues and adopted Recommendations No. 1/94 to Parties on Standard Urine Sampling Procedures, and Recommendation No. 2/94 to Parties on Measures to restrict the availability of Anabolic Steroids, as they appear respectively at Appendices 3 and 4 to this report;

- heard a report on the state of preparation of the Europack anti-doping education and information package being prepared in collaboration with the Commission of the European Communities;

- considered the situation regarding blood sampling and adopted the following position on the subject:

"STATEMENT ON BLOOD SAMPLING"

The Monitoring Group:

- rediscussed this question, notably in the light of the experience gained at the 1994 Winter Olympic Games.

  Blood sampling has provided a means of detecting heterogeneous blood doping and promised scope for detecting banned substances not detectable through urine samples, such as EPO, but the methods and analytical techniques were not yet ready for general use in dope control.

  Further research might provide such methods and techniques in the future. Such research must require the informed consent of subjects.

  If blood sampling was to be proposed for a wider application, the Monitoring Group would make timely proposals for appropriate procedures (including the ethical and medical, as well as legal, technical, research, and educational aspects)."

- reviewed the state of co-operation with other international bodies and in particular the future of the Permanent World Conference. The Monitoring Group adopted the following wording on the subject:

  "The Monitoring Group, which attaches great importance to the Permanent World Conference on anti-doping in Sport as an essential forum for exchange of information and ideas on a world-wide scale, declared its support for continuing to hold the Permanent World Conference, and urged the IOC as well as other competent international bodies to help to create the conditions enabling Australia to stage such a conference for the benefit of the anti-doping movement in general."

- elected the occupants of its Chair and Vice-Chair for a period of two years;

- considered its future work and that of its Working Groups;

- decided to hold its next meeting in Strasbourg on 13-15 June 1995, assuming that these dates were compatible with the European Parliament calendar.

Summary of report of 6th Meeting of the Monitoring Group (1995)

List of items discussed and decisions taken

The Monitoring Group:

- approved the report of the 5th meeting;

- was informed of the state of ratifications and signatures of the Convention;

- discussed co-operation between the relevant governmental and non-governmental bodies, including harmonisation of anti-doping rules;

- decided to invite its working parties, and particularly that on Technical Questions, to give consideration to the criteria that ought to be involved in accreditation of doping control programmes. This could take as starting point the work being done by the Memorandum of Understanding Group.

- thanked the United Kingdom delegations for its work in compiling and producing the results of the Anti-doping Data Base Questionnaire, and invited it to repeat the exercise in respect of 1995 for the next meeting.

- reiterated its view that the Permanent World Conference on Doping is necessary, useful and valuable. It therefore instructed its Chair to set up a small group to study ways of finding possible partners for a 5th Conference, and pledged its support to the Brazilian authorities who had expressed an interest in organising it.

- approved the report of the meeting of the Co-ordinating Group held in London on 18 November 1994;

- heard reports from its Working Parties on Technical Questions, Research and Legal Issues;

- adopted the revised version of Recommendation No. 1/94 on Standard Urine Sampling Procedures, which had been revised by an ad hoc group of the Technical Questions Working Party in order to make more specific provision for out-of-competition testing;

- approved the final report submitted by the French delegation on the co-ordinated research project on the interpretation of testosterone/epitestosterone ratios;

- entrusted its Chair with the task of consulting with the French authorities concerning the composition of an advisory group of senior scientists to be charged with making proposals concerning the organisational guidelines and terms of reference for a working party on science and noted that Germany was prepared to assume the Chair of such a working party at the appropriate time;

- discussed the proposal concerning a Recommendation on disciplinary measures to be taken with regard to members of the athlete's entourage in application of Article 7.2.e of the Convention but decided that it was not yet ready for adoption;

- heard presentations on the state of preparation of the Europack "Clean Sport Guide" and "Pocket Guide" and was informed of the proposals of the Education Working Party concerning the modalities of licensing and distribution of the material;

- was informed that following a Unesco initiative designed to draw its member states' attention to the Convention, interest had been expressed by Qatar, Senegal, the Maldives and Venezuela. The People's Republic of China was preparing an anti-doping law;

- instructed the Secretariat to contact the International Olympic Committee to enquire whether the Medical Commission had adopted a further new list of banned substances and methods in 1995, and to circulate any such list to States parties to the Convention for tacit adoption under the terms of Article 16 of the Rules of Procedure.

"Europack"

'Clean Sport, an education and information guide on sport without doping' is a product of the members of the Education Working Party of the Monitoring Group of the Anti-doping Convention concluded within the Council of Europe. The European Union, the Council of Europe and several of their member states (...) funded this important project on education and information[13].

Contents

Acknowledgements

Authors

Introduction

Section A: Guidelines
Introduction
Guidelines on developing an education programme

Section B: Modules
Introduction
Module 1 Positive effects of sports
Module 2 List of appropriate training methods and practices
Module 3 What is doping? Why is it forbidden?
Module 4 List of banned substances
Module 5 List of allowable substances
Module 6 Doping controls
Module 7 Organisational structure of anti-doping activities & legal aspects of anti-doping rules
Module 8 Case studies

[13] The Clean Sport Guide (c. one hundred pages) is published in loose-leaf form.

Appendices

I Suggestions for further reading
II Relevant addresses

Summary of report of 7th Meeting of the Monitoring Group (1996)

List of items discussed and decisions taken

The Monitoring Group:

- approved the report of its 6th meeting;

- took note with satisfaction of the accession of Greece, Italy, Lithuania, the Netherlands and Canada to the convention since its last meeting, and of the impending accession of Luxembourg;

- took note also of the interest expressed in the Convention by Peru;

- adopted the following procedure for evaluating admissibility to membership of the Convention, on the basis of which the Monitoring Group could make recommendations to the Committee of Ministers concerning requests for accession by countries which had not acceded to the European Cultural Convention:

On expression of interest by such a country:

1. To ask it to complete the DATA BASE ON ANTI-DOPING INITIATIVES with information and data from that country for the previous calendar year.

2. To ask it to send, in English or French:

   a. full documentation on legislative, regulatory or policy measures relevant to anti-doping questions;

   b. a full description of the national anti-doping structures and of the position and powers of the national anti-doping commission.

   c. a statement concerning how it intends to fulfil the obligations set out in the Convention.

3. Examination of the above by the Co-ordinating Group which will make recommendations to the Monitoring Group for the Committee of Ministers.

4. Where appropriate, help, advice and an 'orientation package' could be prepared for countries wishing to accede.

- took note of the information presented in the new database document (based on data from 1995) and of the trends identified;

- thanked the Doping Control Unit of the Sports Council of the United Kingdom for the considerable work carried out to produce the database and welcomed the Doping Control Unit's willingness to carry out the task the following year;

- invited those delegations which had not yet done so to complete their database questionnaires and return them to the Doping Control Unit for incorporation into the definitive document, and those which found errors in the information concerning them to do likewise;

- asked the Clearing House to publish the final results in the Sports Information Bulletin.

Under the terms of Articles 2.1 and 11.1.*b* of the Convention, the Monitoring Group:

- adopted Articles I and II of the document "Prohibited classes of substances and prohibited methods" as adopted by the Executive Board of the International Olympic Committee in January 1996 to serve as the Reference list of pharmacological classes of doping agents and doping methods" annexed to the Convention, it being understood that the explanatory notes included in that text are not adopted for the purposes of the Convention;

- decided that, for the purposes of the Convention, the new reference list would come into force on 1 July 1996.

- decided to examine what measures could be taken at international level to avoid mistrust and jurisdictional disputes between international sports federations and the national doping authorities of host countries on the occasion of international sports events, and invited the Working Party on Technical Questions to consider this matter;

- decided to consider whether steps needed to be taken to ensure that private companies active in sample collection are in conformity with the standards set by the Conventions and its Recommendations;

- invited the Working Party on Legal Issues to consider the implications of a situation in which international federations fix sanction tariffs and 'banned lists' which are widely different from the norm;

- noted with interest the idea that some forms of doping, which could impair the judgement or speed of reaction of competitors, are undesirable because of their implications for the safety of other competitors;

- took note of the information given by the Atlanta Committee for the Olympic Games concerning the preparation of the doping control arrangements for the Games, and wished the organisers every success;

- presented its good wishes to UEFA for a successful Euro 96 championship in England;

- expressed its regret at the absence of a representative from the International Olympic Committee for the second year and invited the Chair to make contact with the IOC at a high level in order to resolve the situation;

- noted with interest the information presented concerning anti-doping activities within the Nordic Group;

- underlined the potential importance of the work carried out by the "Memorandum of Understanding" Group to establish a system of quality standards for anti-doping under the ISO system; noted that this work was in line with a request addressed to the Group by the Monitoring Group at its last meeting, and expressed the hope that countries outside the MOU

group would be informed about progress and be able to benefit from this system as soon as possible.

- took note of the report on work in progress given by the Chair of the Working Party and thanked the Working Party for its work during the year.

- Adopted Recommendation No. 1/96 to Parties on disciplinary measures to be taken with regard to members of the athlete's entourage in application of Article 7.2.*e* of the Convention;

- invited the Working Party to give further consideration to ways in which the responsibility of members of the athlete's entourage could be reinforced in cases involving positive results found in persons who are minors;

- asked the Secretariat to prepare a submission to the Committee of Ministers concerning the non-sports use of prohibited substances, recommending the establishment of an interdisciplinary group to study the possible modalities of intergovernmental action in this area. The draft submission should be examined by the Working Party at a forthcoming meeting;

- congratulated the Working Party and thanked it for its work since the last meeting of the Monitoring Group.

- took note with satisfaction of the completion of the first phase of work on the *Clean Sport Guide* and thanked the Netherlands authorities for providing copies of the binder for use at its meeting;

- appealed to delegations to provide information concerning significant doping cases to the Secretariat in order to ensure that Module 8 of the *Guide* could be kept up to date;

- invited the Working Party to consider ways to combat underground pro-doping propaganda;

- congratulated the Working Party and thanked it for its work since the last meeting of the Monitoring Group.

- decided to set up a Working Party on Science;

- accepted Germany's offer to be the lead country in this Working Party and noted that the German authorities had designated Dr Müller to chair it;

- concerning the composition of the working party, and taking into account the need to ensure representation of a broad range of scientific disciplines, agreed to a procedure of nominations whereby States Parties to the Convention would send nominations, complete with *curricula vitae*, to the Secretariat for consideration by the Co-ordinating Group which would determine the composition;

- invited the Co-ordinating Group to take final decisions concerning the terms of reference of the Working Party.

- noted that the activities of its working parties in the coming year would be as follows:

Legal Issues

- continued work on the List of Basic Principles for blood sampling, together with legal examination of the a proposed text on blood-sampling procedures;

- examination of ways in which the responsibility of members of the athlete's entourage could be reinforced in cases involving positive results found in persons who are minors;

- legal aspects of a personal doping record document;

- harmonisation of rules, in particular lateral harmonisation and problems of jurisdiction;

- the definition of doping.

Technical Questions

- text on procedures for blood sampling;

- problems of 'competing' jurisdictions;

- development of the database as a monitoring instrument;

- relationship with the technical work of the IOC;

- quality assurance;

- the role of private companies.

Education

- development, implementation and evaluation of the *Clean Sport Guide;*

- other educational tasks, including how to counteract black propaganda.

Note: the programme of the Working Party on Science will be determined in due course

The Monitoring Group:

- elected Peter Radford (United Kingdom) to serve as Chair of the Monitoring Group for a further two years;

- elected Alain Garnier (France) to serve as Vice-Chair for two years;

- decided to hold its 8th meeting in Strasbourg on 28 and 29 May 1997.

The Monitoring Group:

with regard to the Permanent World Conference on Anti-Doping

- declared itself convinced of the usefulness of the PWC as a regular international forum;

- invited delegations to use their national Olympic Committees and sports federations to generate a "groundswell of opinion" in favour of the holding of the next conference;

with regard to the future orientations of its work

- agreed to place a strategy debate on the agenda for its 8th meeting;

with regard to reporting of negative test results to athletes

- invited the Working Party on Technical Questions to examine this issue;

with regard to the Seminar on Anti-Doping to be held in Prague in November

- took note of the information provided by the Czech delegation and the Secretariat;

with regard to the invitation of non-member countries as observers to meetings of the Monitoring Group under the terms of Article 10.4 of the Convention

- agreed to invite Peru and Japan to the next meeting as observers (in addition to Brazil, which has already been invited for several years).

Summary of report of 8th Meeting of the Monitoring Group (1997)

At its 8th meeting held in Strasbourg on 28-29 May 1997, the Monitoring Group:

- took note of the proposals made by Belgian delegation and approved the report of its 7th meeting;

- welcomed the accession of Latvia and Luxembourg to the Convention since its last meeting;

- took note of the signature of the European Cultural Convention by Armenia, Azerbaijan and Georgia which gives these States the possibility to be represented at the Monitoring Group as observers;

- welcomed China and Peru as invited observers and took note of the information provided by these countries.

- took note of the information provided by the delegation of the United Kingdom and thanked the UK Sports Council for its work on the latest edition of the Database (based on data from 1996);

- decided that future editions of the Database will also include information - perhaps in a "Part II" - from States other than Contracting Parties;

- invited those delegations which had not yet done so to complete their database questionnaires and return them to the Doping Control Unit of the UK Sports Council for incorporation into the definitive document.

- took note of the information provided by the representatives of the sports federations;

- expressed its regret at the absence of a representative from the International Olympic Committee;

- decided to propose to the IOC to have a small meeting between the Co-ordination Group of the Monitoring Group and representatives of the International Olympic Committee aimed at discussing matters of closer co-operation between the two bodies;

The representatives of the IOC being absent, the Monitoring Group decided to postpone the discussion on this issue until its next meeting.

The Monitoring Group decided to:

- adopt the Resolution No. 1/97 including the new appendix to the Convention (under the terms of Articles 2.1 and 11.1.b of the Convention);

- recommend to member states where the list is part of the legislation to adopt it as soon as their legislative procedures allow it;

- adopt the 1998 list of prohibited substances using the emergency written procedure foreseen under Article 16 of the Rules of Procedure in order to make it enter into force as soon as possible and not later than the end of February 1998;

- to examine the draft revised Rules of Procedure at its next meeting, particularly with regard to Article 16 with a view to modifying the present emergency procedure into the normal procedure for adopting a new reference list.

Concerning the activity on blood sampling: possible draft recommendation on standard sampling procedures, the Monitoring Group:

- decided to continue its work on the issues concerning blood sampling;

- asked the delegates to send comments on the statement drafted by the Slovakian delegation to the Working Parties;

- expressed the need to strengthen the co-operation with the International Federations which have used blood tests and to review the documents on the basis of the relevant Sports Organisations regulations;

- noted with interest the suggestion of the American delegation to include the athletes in the development process of the work on blood sampling;

Concerning the preparation of a draft Recommendation on standard operating procedures for Laboratories and Disciplinary Panels in doping control, the Monitoring Group:

- took note of the work carried on the draft recommendation by the Working Parties and invited the national delegations to send comments on the issue to the Secretariat.

Concerning the legal implications of the sanctions based on the interpretation of T/E ratios, the Monitoring Group:

- took note of the information provided by Susanne Billum.

Concerning the Working Party on Technical questions, the Monitoring Group:

- took note of the report on work in progress given by the Chair of the Working Party and thanked the Working Party for its work during the year.

  The delegation of the United Kingdom volunteered to make the information about the involvement of private companies available to the Monitoring Group.

Concerning the Working Party on Legal Issues, the Monitoring Group:

- took note of the discussions led by that Working Party;
- invited the delegations of the Netherlands and Canada to update the database on doping cases;
- adopted the Recommendation on minors (No. 1/97);
- asked the Chair of the Monitoring Group to address an official letter to the Committee of Ministers presenting the issue of non-sports use of prohibited substances;
- congratulated the Working Party and thanked it for its work since the last meeting of the Monitoring Group.

Concerning the Working Party on Education, the Monitoring Group:

- took note of the progress of the Clean Sport Guide project;
- thanked the European Union for its contribution to the project;
- congratulated the Working Party and thanked it for its work since the last meeting of the Monitoring Group.

Concerning the Working Party on Science, the Monitoring Group:

- took note of the information provided by the Chair of the Working Party.

After discussion it was agreed that the message should state:

The results of the analysis of a doping control sample should not differ depending on the laboratory in which it was analysed.

Concerning the composition of the Working Parties:

The Monitoring Group decided that the composition of the Working Parties would be based on the list of countries that had sent their representatives to the meetings in 1996 (as they appear in the lists of participants of the three meetings).

Concerning the final composition of the Working Party on Science, the Monitoring Group decided that:

- the 6 representatives of member states who attended the meeting in Kreischa would become permanent members of the Working Party;

- the Chair of the Working Party would have the right to choose 1 or 2 additional members from the disciplines that are not represented in the group, if he considers it necessary.

Concerning the future work of the Monitoring Group: strategy and activities in 1997-98:

The Monitoring Group noted that the activities of the working parties in the coming year would be as follows:

Technical Questions
- blood-sampling procedures (EPO and growth hormone);
- Database on anti doping Initiatives;
- harmonisation: elements for different regulations (ISO 9 000 Project example)

Legal Issues
- harmonisation issues/ basic, minimum principles and the burden of proof;
- blood-sampling;
- definition of doping;
- issues connected with minors;
- sanctions based on the interpretation of the T/E ratios;
- private companies.

Education
- further work on Clean Sports Guide;
- link with the IOC (CD-ROM and Video);
- work with lecturers;
- black market literature.

Science
- action as an advisory body;
- systematisation of relevant documentation;
- definition of doping;
- blood-sampling procedures;
- peptide hormones;
- standardisation

The national delegations were asked to send their proposals on the future strategy of the Monitoring Group to the Chair.

Concerning the project on Compliance with commitments:

The Monitoring Group took note of the information provided by the Secretariat and appointed its Chair Professor Peter Radford and Vice-Chair Dr Alain Garnier as its representatives at the Compliance with commitments meeting in Strasbourg on 26/27 June 1997.

Concerning the Permanent World Conference:

The Monitoring Group asked its Co-ordination Group to pursue the discussion of this matter and to inform the member states about the progress of discussions in the next months.

Concerning the next meeting:

The Monitoring Group:

a. decided to hold its 9th meeting in Strasbourg on 19-20 May 1998;

b. decided to invite those Observers present at this meeting to attend the next meeting;

c. noted that the Working Party on Education will meet in Strasbourg on 18 May 1998. If possible an exhibition of educational material will take place from 18 to 20 May 1998.

Summary of report of 9th Meeting of the Monitoring Group (1998)

The Monitoring Group:

- approved the report of its 8th meeting;
- took note of the ratification of the Convention by Estonia;
- welcomed South Africa as an invited observer;

Part I – JOINT SESSION WITH THE INTERNATIONAL OLYMPIC COMMITTEE (IOC)

Concerning the harmonisation – interest of a single Medical Code for the Olympic Movement, the Monitoring Group:

- expressed its support to the IOC for the Medical Code;
- agreed to explore the possibility of collaboration with the IOC in the preparation of a common medical code;
- appreciated the IOC proposal of a more interactive co-operation in the preparation of the list;

Concerning the co-operation in the production of a CD-ROM of the Clean Sport Guide, the Monitoring Group:

- took note of the information provided by the Chair of the Education Working Party;
- welcomed this partnership with the IOC in a concrete project;
- decided that the Editorial Group (composed of H. Holdhaus, E. Vrijman and M. Kamber) will carry out the project in co-operation with the IOC.

Concerning the possibility of organising a 5th Permanent World Conference:

It was suggested that the representatives of the Monitoring Group, the IOC and France prepares possible themes of conference for the next meeting of the Monitoring Group.

The Monitoring Group:

- took note of the information provided by the representatives of the international sport federations present at the meeting and thanked them for their commitment and very valuable contributions to the debate

Part II – PLENARY SESSION OF THE MONITORING GROUP

Concerning its future working structures, the Monitoring Group:

- accepted unanimously the creation of projects groups under the above mentioned terms;

- accepted by large majority to maintain the working groups. The new structure of these groups will be as following:

  The Working Party on Science will continue with its current terms of reference, Chair and membership.

  The Working Party on Legal Issues will be changed into an Advisory Group, as a permanent source of legal advice on doping questions. Its input to the work of the Monitoring Group could be done just as well through written or electronic means as through meetings.

  The Working Party on Education will also become an Advisory Group, as a forum for discussion on education and information activities. The Editorial Group will continue particularly as the Project Group for the joint Council of Europe / IOC production of a video/CD-ROM/Website for the Clean Sports guide (cf. Item I.2). The Advisory Group on Education will meet in Portugal on 1999 for the seminar on the illicit use of steroid in non-competitive sports.

  The Working Party on Technical Questions will become an Ad hoc Advisory Group, meeting when a Project Group either requests its advice or submits a draft conclusion from one or more projects, prior to submission to the Monitoring Group.

  The three Advisory Groups will have an "open-ended" membership system to the Parties and also to the Observers.

Concerning the Working Party on Technical Questions, the Monitoring Group:

- took note of the working report given by the Chair of the Working Party and thanked the Working Party for its work during the year.

Concerning the Working Party on Legal Issues, the Monitoring Group:

- took note of the report of activities of the Working Party on Legal Issues;

- invited delegation to reply to the questions on the protection of minors;

- took note of the subjects submitted by the Working Party for its future work;

- thanked Mr Vrijman for his report and congratulated the Working Party for its work since the last meeting of the Monitoring Group.

Concerning the Working Party on Education, the Monitoring Group:

- took note of the report in progress given by the Chair of the Working Party;
- thanked the Netherlands delegation for its work on the questionnaire on anti-doping education and information activities;
- congratulated the Working Party and thanked it for its work since the last meeting of the Monitoring Group;

Concerning the Working Party on Science, the Monitoring Group:

- took note of the report in progress given by the Chair of the Working Party on Science;
- encouraged the Working Party on Science through its Chair to continue its contacts with the IOC concerning the list and asked Prof. Müller to report on the results of these contacts to the Monitoring Group;
- recalled that all contacts of this nature would be under the aegis of the Monitoring Group, and that correspondence would be channelled through the Secretariat or at least copied to it;
- decided to put on the agenda of its next meeting questions raised by training at high altitude and the use of "altitude rooms/hyperbaric chambers";
- thanked the Working Party on Science for its work during the year

Concerning the draft recommendations, the Monitoring Group:

- adopted the Recommendation No. 1/98 on standard operating procedures at doping control laboratories [procedures for non-analytical phases]
- adopted the Recommendation No. 2/98 on basic principles for disciplinary phases of doping control;
- adopted the Recommendation No. 3/98 on blood sampling for doping medical controls;
- accepted by majority the principle of a technical guide (to be published separately from the Recommendation);
- approved a technical guide for the collection of blood samples for the attention of those requiring such information and guidance.

The Monitoring Group also:

- designated the three following countries that will take part in the Multidisciplinary Group: Sweden, the Netherlands or Portugal. It was agreed that the Secretariat would nominate 2 experts from these three countries according to the evolution of the project;
- took note of the information presented in the 1998 Edition of the Database and thanked the UK Sports Council for the considerable work carried out to produce the database;
- adopted the Revised Rules of Procedures.

- elected, by acclamation, Dr Alain Garnier (France) to its Chair for two years;

- elected, by acclamation, Mr Hans Holdhaus (Austria) to its Vice-Chair for two years;

- decided that Prof. Klaus Müller (Germany) will continue to Chair the Working Party on Science;

- appointed Mr Joseph de Pencier (Canada) to the Chair of the Advisory Group on Legal Issues;

- appointed Mr Emile Vrijman (the Netherlands) to the Chair of the Advisory Group on Education;

- appointed Prof. Ryszard Grucza (Poland) to the Chair of the Ad hoc Advisory Group on Technical Questions;

- thanked warmly Prof. Peter Radford (outgoing Chair of the Monitoring Group), Ms Suzanne Billum (outgoing Chair of the T-DO LI), Mr Rune Andersen (outgoing Chair of the T-DO TQ) for their contributions to the work of the Monitoring Group and Working Parties concerned.

- decided that the future projects will be the following:

  1. Project on Clean Sport Guide/CD-ROM/Web Site;
  2. Project on definition of doping;
  3. Project on sanctions;
  4. Project on the database;
  5. Project on Multidisciplinary Group.

  The Monitoring Group charged the Chair and the Vice-Chair to nominate the members of the project group (for projects 2, 3, 4), to define their missions and to co-ordinate their work. To achieve this task, they will be assisted by the Chairs of the T-DO SCI, LI, ED and TQ.

- decided to hold its 10th meeting in Strasbourg on 19 and 20 May 1999.

Extraordinary meeting of the Monitoring Group
(Strasbourg, 5 November 1998)

The meeting had two aims. It had been called firstly to prepare the Monitoring Group's contribution, in the form of proposals, to the World Conference on Doping to be held by the IOC in February 1999, and secondly to discuss recent events in the doping sphere and their implications for the work of the Monitoring Group.

The Monitoring Group:

- discussed and adopted conclusions and proposals concerning the Monitoring Group's future work and its contribution to the IOC Conference. These conclusions were distributed after the meeting on 5 November (see text hereafter) and were the subject of a press release (see hereafter).

Concerning the 9th Conference of European Ministers responsible for Sport, the Monitoring Group:

- agreed that this evaluation should take place at national level. In the light of such an assessment, it would decide whether or not the convention should be amended.

Concerning the Multidisciplinary Group on "non-sport use of banned substances", the Monitoring Group:

- took note of the Multidisciplinary Group's conclusions and proposals;
- considered that this issue went beyond the scope of the Anti-doping Convention and, therefore, the Monitoring Group's terms of reference, and that it should be discussed by a fully competent body;
- decided to submit the Multidisciplinary Group's proposals to the Committee of Ministers;
- was prepared, within its powers, to help anybody set up and/or with any activity implemented in this field.

Press Communiqué
(Strasbourg, 28 October 1998)

Doping: extraordinary meeting of Council of Europe experts to prepare IOC world conference

Strasbourg, 28.10.98 - The members of the Council of Europe Anti-Doping Convention Monitoring Group[14] will be holding an extraordinary meeting in Strasbourg on Thursday 5 November to prepare the 40-member Organisation's contribution to the IOC World Conference on Doping (Lausanne, 2-3 February 1999) and see what lessons can be learnt from the doping dramas that have marked the world of sport this year.

Under the chairmanship of Doctor Alain Garnier (France), the Group will focus in particular on the role and mission of an international anti-doping agency which the International Olympic Committee is likely to propose setting up at the Lausanne conference. It will recommend means of stepping up the efficacy of the battle against doping and improving co-operation and harmonisation between sports organisations and public authorities active in this field.

The group will also consider what action should be taken in the light of events in 1998: in the spring Australian customs officers found a large quantity of growth hormones in the luggage of Chinese swimmers who were to take part in the World Swimming Championship; in the summer the doping problem marred the Tour de France bicycle race, and recent revelations have sullied Italian football. The experts will focus in particular on the harmonisation and enforcement of drug legislation and on the sanctions to be taken against those who produce and distribute illegal performance-enhancing substances.

Another measure that will be considered is reducing the supply of these substances and supervising the athletes' entourage, which often plays an active part in administering the substances to them.

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[14] The Anti-Doping Convention has so far been ratified by the following states: Australia, Austria, Bosnia and Herzegovina, Bulgaria, Canada, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Iceland, Italy, Latvia, Lithuania, Luxembourg, Netherlands, Norway, Poland, Portugal, Russian Federation, San Marino, Slovakia, Slovenia, Spain, Sweden, Switzerland, the "Former Yugoslav Republic of Macedonia", Turkey and the United Kingdom.

A press conference will be held at 17h00 in room 301 at the European Press and Information Centre (CEPI).

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The Monitoring Group is responsible for monitoring the application of the Anti-Doping Convention, reviewing in particular its provisions and approving the list of pharmacological classes of doping agents and doping methods.

Conclusions of the Extraordinary meeting of the Monitoring Group
(Strasbourg, 5 November 1998)

The Meeting was called:

- to discuss the events of the summer and autumn and their implications for the work of the Monitoring Group;
- to prepare the Monitoring Group's contribution to the World Conference on Doping convened by the International Olympic Committee in February 1999.

The fight against doping in sport has entered a new phase, and faces serious new challenges. All Parties and partners in sport need to find new ways of working - in their own sphere and together - and to establish more effective programmes to counter this scourge.

Part I

The Parties to the Convention agreed a number of priority issues for action by the Monitoring Group or at national level:

1. With regard to law :

   a. to undertake a review of national laws affecting anti-doping work (anti-doping laws, laws on medical or banned substances, etc) with a view to examining the scope for possible improvements and for greater consistency in the framework of the Anti-doping Convention;
   b. to help provide information for national sports bodies on how the rule of law – including the Anti-doping Convention – affects sport.

2. With regard to medical care of sportsmen and sportswomen :

to improve the medical care and health protection of sportspeople, and to provide better information and education for those working - medically and otherwise - in their entourage, for example, through codes of professional conduct. National Medical Associations should be invited to draw up clear rules (with sanctions) on this matter. In this context, the Monitoring Group welcomes the co-operation of the IOC in the production of a CD-Rom and Internet versions of the Clean Sports Guide.

3. With regard to the availability of banned substances:

to seek, through the appropriate channels at national level, closer co-operation with police, customs and other relevant authorities with a view to reducing the supply of doping agents to sport and their

use/demand within it. Research into the sociological aspects of the doping phenomenon could also help such reduction.

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The Monitoring Group also stresses the need for national anti-doping agencies to increase the number of, and to reduce to a minimum the notice given for, out-of-competition controls. Another priority is to seek methods better to detect and to control the use of doping substances, EPO and other peptide hormones in particular. Regulations to prevent over production of these substances should also be introduced.

Part II

The Extraordinary Meeting also agreed to five proposals that would form the basis for the Monitoring Group's delegations' submissions to the IOC Conference **with the aim of boosting the effectiveness of anti-doping work in general and of improving co-operation and harmonisation between the sports movement and that of the public authorities** active in this field. Participation by the Monitoring Group in anti-doping during major international competitions could also help ensure consistency and transparency.

1. With regard to the proposed Olympic anti-doping agency

The Monitoring Group supports the creation of such an agency, which should help to integrate the strategies and the activities already carried out by international sports federations and agencies. It could play an important role in inaugurating world-wide out-of-competition testing, especially in regions and countries without effective anti-doping programmes at the moment. Its activities would also need to complement those of existing national anti-doping agencies which presently carry out approximately 85% of anti-doping work. The agency should be authoritative, independent, international, transparent and non-profit making. It should have a research component. The Monitoring Group, which consistently seeks a better harmonisation and co-ordination of anti-doping work at international and national levels, would wish to play an active part in it, and will make proposals for its work in due course.

2. With regard to medical supervision

The Monitoring Group will encourage the IOC, the IFs and NOCs to supervise more closely the entourage (medical and other) of athletes and teams.

3. With regard to eligibility and sanctions

The Monitoring Group will ask the IOC to ensure that only those international federations adopting and effectively applying the common Medical Code proposed by the IOC, (including in particular the application of recommended sanctions in case of infractions, and the protection of the rights of sportsmen and sportswomen), can participate in the programmes of the Olympic Games.

4. With regard to the list of prohibited classes of substances and prohibited methods

The Monitoring Group – which, as a contribution to harmonisation, adopts the same list of prohibited classes of substances and prohibited methods as the IOC's list - will ask the IOC to make concrete proposals on ways in which it can be associated with the drawing up this list.

5. With regard to the anti-doping laboratories

In accordance with Article 11.1.b of the Convention, and as most accredited laboratories are financed by public funds in the country concerned, the Monitoring Group would like to be associated with the IOC in establishing quality systems and standards for anti-doping laboratories.

Press Communiqué
(Strasbourg, 5 November 1998)

Europe's states take measures to combat doping

Strasbourg, 09.11.98 – At the close of their extraordinary meeting in Strasbourg on Thursday 5 November 1998, the members of the Monitoring Group of the Council of Europe's Anti-Doping Convention decided on a series of measures to combat doping.

They expressed their support for the establishment of an Olympic anti-doping agency, which will be proposed at the World Conference of the IOC in Lausanne in February 1999. The participants made the point that this agency, in which the Council of Europe wishes to be actively involved, should be "authoritative, independent, international, transparent and non-profit making".

They will also encourage the IOC to monitor more closely those working – medically and otherwise – in the entourage of athletes and teams and will ask it to ensure that only international federations that actually apply the common Medical Code suggested by the IOC can take part in Olympic games programmes.

The Council of Europe experts will ask the IOC to be actively involved in future in drawing up the list of prohibited substances and methods prepared by the IOC, which they currently adopt to achieve harmonisation.

Pointing out that most anti-doping laboratories are financed with public money, the participants decided to ask the IOC to involve them in establishing quality systems and standards for these laboratories.

The Monitoring Group, chaired by Alain Garnier (France), also agreed on areas for priority action in connection with the Anti-Doping Convention. It decided to undertake a review of national anti-doping laws and laws on banned drugs and substances so as to ensure greater consistency in its work. It also plans to help provide information for national sports bodies on how legislation affects sport.

The Group wants to improve the medical care and health protection of athletes and to provide better information and education for those working in their entourage.

With regard to banned substances, it will seek to co-operate more closely with the police and customs and other relevant authorities with a view to reducing the availability of doping agents in sporting circles.

Lastly, the Monitoring Group stressed that national anti-doping agencies should increase the number of, and reduce to a minimum the notice given for, out-of-competition controls. Another priority is to seek new methods that are more efficient for detecting and controlling the use of doping substances, in particular EPO and other peptide hormones.

Part Seven

Work of the Committee for the Development of Sport concerning Doping

Seminar on Education against Doping
(Vienna, 1990)

Conclusions adopted by the participants

PARENTS

1. Attitudes of athletes' parents

   a. Possibly threatening attitudes:

      i. parents may not be interested in their children's sports practice;
      ii. parents may get over-interested in their children's results;
      iii. parents may automatically support everything their children do.

   b. Possibly advantageous and beneficial attitudes:

      i. parents desire the fulfilment of their children;
      ii. parents try to encourage a lifestyle and education which facilitates a harmonious entry into social life;
      iii. in cases of failure, the family is a place where children can find their roots, find sympathy and recharge their batteries.

2. Main types of behaviour by parents

   a. Parents have a basic role in making their children responsible and autonomous. Thus they can be armed to choose, and not, for example, succumb to the temptation to use dope.

   b. Parents transmit basic values. Family units transmit basic information such as restraint in the use of medical drugs, knowledge of diet and food.

   c. Parents talk to their children all the time and can thus ward off doubtful behavioural patterns (such as drugs).

   d. Nevertheless, among these beneficial attitudes, it is necessary to discriminate between:

      i. adolescents already in top-level competitions and often far away from their parents. Their role will be indirect and infrequent;
      ii. the young participant for whom the parents' role is of major importance. The way this role is played will probably influence later behaviour.

3. Ways of getting the message across

   It is vital that the message is put positively otherwise parents will think that sport may be risky for their children, including finding a career later. Furthermore, the message should use real examples of success both in careers and in life.

4.. Possible contents

a. Information for parents should explain what sport is like nowadays - its limitations, its demands, its challenges, its role as an opener to later success.

b. Information for parents of young sports people not yet in top level sport should concentrate on good life style habits (respect for rhythm, time management, sleep) and on balanced and varied eating habits. This will lead later to a knowledge of diet. Lastly, information on the need not to have systematic recourse to medicines and vitamins all the time should be included.

Coaches should be encouraged to take the initiative in setting up contacts with parents, and, once such liaison is set up, to keep it going. Dialogues should be frank and nothing hidden between the coach and parents.

Lastly, the seminar stressed the need to involve parents in the athletes' circle and environment in the same way as other target groups, even if the parents' role is different.

TEACHERS

The review of the Austrian Schools Programme showed that schools can play a role in anti-doping campaigns. However, the need for adequate resources, specific guidelines and attention to the implementation of education programmes was obvious.

Objectives for education programmes had to reflect the needs of very specific target groups. In other words, general anti-doping messages delivered to the entire school population are inappropriate.

An appropriate approach for schools could be the promotion of the ethics of fair play in sport, the presentation of opportunity to experience the healthy benefits of sports participation, and the dangers of drug abuse.

Specifically, it was felt teachers required accurate information in a non-technical format; and training in the skills and strategies to conduct drug education.

The information and training teachers require should be initiated by anti-doping organisations and developed in collaboration with the relevant expert groups, for example, education, health and sport.

Advocacy by sports leaders for education campaigns is essential.

The education of sports leaders is an obvious need to encourage the necessary support and commitment for anti-doping education programmes.

Special attention to the implementation of education programmes is required. Whenever possible the national anti-doping agency should be responsible for implementation. If no such organisation exists, the co-ordination of all anti-doping groups within a country must be a priority.

GUIDELINES FOR TEACHERS

1. Introduction

School teachers may have little or no knowledge about drug abuse in sport or doping control methods, therefore, the involvement of other agencies and organisations in the preparation and implementation of anti-doping campaigns would be vital. Moreover, the message needs to be consistent with other organisations. The following guidelines may assist teachers to develop and to produce an anti-doping campaign.

2. Aims and Objectives

The general aims of anti-doping education in schools should be prevention and deterrence.

To achieve these aims, anti-doping campaigns should be planned which develops attitudes and behaviour. The objectives should reflect the needs of specific target groups and provide appropriate experiences.

Teachers responsible for sport are likely to be the main focus of anti-doping education both in the school setting as part of the Physical Education curriculum and in extra-curricular activities. Other teachers could also support the campaign (health educators, social educators, subject teachers).

In carrying out an anti-doping campaign the stages which should be considered are:

a. Preparation includes consultation, assessment of resources, identification of the needs of the target group and curriculum planning.

b. Delivery methods appropriate to the target group should be decided by the implementer - the teacher. Formal lesson plans to bring about learning situations could include role plays, discussions, questionnaires, information exchange. Opportunities for informal learning to reinforce the messages may be found in sporting and non-sporting situations.

Depending upon the method of delivery anti-doping education could be arranged in a concentrated one-day project, a module within the curriculum, a cross curriculum issue and as an ongoing principle.

3. Evaluation is an essential component of education programmes. Knowledge and changes in attitude should be regularly reviewed to assess the impact of anti-doping education and to influence curriculum planning.

Teachers should develop lesson plans and learning experiences which take the general issue of drug abuse in sport apparently affecting only the top performers to their own situation and their own level. The issue of drugs in sport is among other things a moral dilemma and can help to develop social attitudes towards the use of chemical aids to sporting achievement and generally to cheating in any competitive or other situation.

RESOURCES

Agencies which could help to develop an anti-doping campaign include organisations responsible for health, justice, culture and sport. As well as being able to provide technical information it may be helpful to involve these agencies in transmission of the message.

Local resources should also be investigated, for example sports personalities, doctors who may be able to contribute to the learning experience.

It would be useful to link up with other anti-drugs campaigns mounted by sports organisations, or health education organisations to extend the type of resources available.

Material resources such as curriculum guidelines and lesson plans must have well thought out objectives. Education programmes for schools need to reflect continuity in their approach and should build in an evaluation component.

STUDENTS

1. School pupils are a very important target group. Appropriate anti-doping information will have several repercussions :

   a. an early warning to pupils on the dangers of doping, its consequences for health, and also on "prestige" factors;
   b. pupils influencing people about them (parents, family, friends).

   School can also influence these young people who practise sport outside clubs in fitness centres, gyms, etc. which sports organisations campaigns and measures have not yet reached.

2. Awareness and information can be done:

   a. with large scale information campaigns with posters, videos, etc., as in Norway;
   b. with *ad hoc* awareness using direct contact with the subject in school classes, as in Austria.

   Both approaches seem to be successful. They should be evaluated.

3. As doping is often considered a "minor" problem, an anti-doping campaign could be combined with others (for example, drug or medicine abuse).

4. Work with pupils should go hand in hand with work with parents, as adults should be in a position to answer young people's questions.

Sprint Seminar on Topical Problems of Anti-Doping Policy
(Prague, Czech Republic, 8-10 November 1996)

Final document

The participants at the Sprint Anti-doping seminar held in Prague on 8-10 November 1996 (representatives of 24 CDDS countries, including all of the 17 countries which are beneficiaries of the Sprint Programme), having heard presentations[15] by experts on legal and educational aspects of anti-doping activities, adopt the following conclusions:

1. In general

   a. Countries in the process of developing relatively new, independent sports structures share the commitment of the whole sports movement to the fight against doping in sport. They condemn unreservedly the state sponsored doping of the past.

   b. Like all countries, they have to establish priorities in planning their anti-doping activities, particularly in order to catch up with countries which have longer experience in the field.

   c. The ethical basis for rejecting doping in sport is under attack from the insistence on victory at all costs which is associated with modern, commercialised sport, and which affects sportspersons and their entourage alike. Ways must be found to reconcile sport with its ethical foundations, acknowledging the imperative to protect public health and safeguard the interest of medical ethics.

   d. Many important aspects of anti-doping policy and action can be realised without major financial outlay. These include:

      i. from the legal point of view, adopting anti-doping rules or regulations that are fair, clear, effective and as consistent as possible with international norms such as those of the Anti-doping Convention and the Medical Code of the International Olympic Committee;

      ii. with regard to education, preparing and implementing education and information programmes, paying particular attention to young sportspersons.

2. Legal questions

   a. Anti-doping activity is founded on ethics and health. Rules give a legal and unified expression to this basis.

   b. To be effective, anti-doping rules must ensure, as a minimum, that:

      i. the anti-doping body is properly authorised to conduct all appropriate controls and act on their results;

      ii. no drafting defects or omissions undermine the validity of the rules;

[15] Texts of speeches and presentations available from the Organising Committee at the Ministry of Education, Youth & Sports of the Czech Republic.

iii. the procedures are adequate to determine that an offence has been committed;

iv. potential defence strategies based on technical considerations are anticipated (minor procedural deviations waiver);

v. rules are consistent with general practice in other relevant jurisdictions.

c. Rules must not infringe the constitutionally protected rights of sportspersons who, as citizens, have the same rights as any other. Sports organisations owe due regard to their members.

d. Rules should in particular guarantee the protection of sportspersons who are minors.

e. The Court of Arbitration in Sport is acknowledged as a mechanism for arbitrating sports questions. Its adjudication cannot prevent sportspersons from exercising their right of access to a court in defence of their interests if the above rules and principles are not scrupulously followed.

3. Educational and information activities

a. Education and information activities are, together with doping controls, the most important weapons in the fight against doping.

b. To be effective, educational material must be:

i. adapted to well-defined target audiences and delivered through appropriate media;
ii. honest, truthful, clear, easy to understand, realistic and interactive;
iii. evaluated and adjusted to ensure continuing relevance and effectiveness;

The Europack "Clean Sport Guide" provides the appropriate information for such activities. This information needs to be properly developed to suit the specific needs of each activity.

c. Effort is also needed to improve the general public's awareness and understanding of doping questions.

4. Recommendations to the CDDS and the Monitoring Group

a. Means should be found to involve the academic community in evaluating the effectiveness of anti-doping work and of pooling the experienced gained at European level.

b. Both the CDDS and the Monitoring Group of the Anti-doping Convention should pursue their efforts to remove or reduce the disharmonies between different sets of anti-doping rules and other measures, which undermine the cohesion and effectiveness of the whole anti-doping movement.

c. The CDDS is invited to continue to support anti-doping seminars in the framework of the SPRINT Programme as one way of providing practical help to the countries involved and working towards greater parity throughout Europe.

d. The Monitoring Group is encouraged to pursue its efforts to develop aids for education and information activities and to promote research in the scientific, technical and legal fields.

5. The participants warmly thank the Czech authorities for hosting and organising the Seminar, with all the preparatory work the task involved, and for the generous hospitality with which they had been received in Prague.

Sprint Doping Seminar Topical Problems of Doping Control Patterns and Analysis
(Madrid, Spain, 18-20 September 1997)

CONCLUSIONS AND RECOMMENDATIONS

Having heard and discussed the experts' statements concerning in particular the economic, technical, organisational and accreditation issues surrounding doping control laboratories, and bearing in mind current conditions in the countries taking part in the Sprint Programme, the participants in the doping seminar held in Madrid from 18-20 September 1997 adopted the following conclusions and recommendations:

1. Conclusions

a. As stated at the Prague Seminar, the countries which are working towards developing new sports structures reiterate their firm commitment to combat doping in sport. To that end, they wish to share the experiences of other countries in this area.

b. Laboratories are one of the basic elements in the anti-doping effort. Article 5 of the Council of Europe's Anti-Doping Convention, concerning laboratories, recommends that each Party should either set up a laboratory on its own national territory or help its sports organisations to have access to such a laboratory in the territory of another Party.

c. Before taking the decision to set up a national laboratory, a country should be sure that its needs are not likely to be better served by a possible regional partnership or access to another accredited laboratory.

d. These needs should be precisely evaluated so that the consequences can be quantified, and in particular the resources needed, financial as well as technical and human. This measure is particularly important when it comes to seeking approval from the authorities concerned.

e. Concerning accreditation, the requisite conditions are clear but the process of applying the criteria needs clarification.

f. Based on the principle that "the results of the analysis of a sample taken for anti-doping tests should not vary according to the laboratory in which the sample was analysed"[16], it is necessary for the laboratories to use common, state-of-the art procedures and methods, while taking into account both investment and running costs.

[16] Declaration adopted at the 8th Meeting of the Monitoring Group of the Council of Europe's Anti-Doping Convention, 28-29 May 1997 in Strasbourg.

g. Consequently, laboratories should work closely together in order to optimise these methods, as well as with the research authorities in order to open up new avenues, particularly in setting up methods for detecting substances which are difficult to detect, such as EPO, blood doping and growth hormones.

h. In order to be effective, this research should not be limited to the spheres of pharmacology and biochemistry, but must also address the psychological and sociological aspects of doping.

i. It is important that laboratories observe the IOC Code of Ethics while aiming to achieve the highest technical standards.

j. It is clear that analytical testing is an indispensable part of the process of doping controls. However, its effectiveness depends firstly on the reliability of the collection and monitoring of the samples, and secondly on the quality of the disciplinary process.

k. With this in mind, every country should establish a sound, independent national structure to combat doping. In this context, laboratories, although scientifically independent, should consistently follow good laboratory practice.

l. For each laboratory, a proper organigramme should be drawn up showing the functions of all staff, who should be qualified, experienced, sufficient in number and have access to continuous further training. All equipment and procedures should comply with current professional rules. Quality control should be constant in order to maintain the daily performance of laboratories and ensure the credibility of the anti-doping test system.

2. Recommendations to the CDDS and the Monitoring Group

a. The CDDS and the Monitoring Group should continue their efforts to harmonise the various factors in the anti-doping effort.

b. The CDDS is invited to give continued support to seminars on doping in the countries which are part of the Sprint Programme. This is proving to be vital in narrowing the existing differences in the anti-doping effort between the states' parties.

c. The Monitoring Group should continue to encourage work in the legal, technical and scientific spheres as well as in education.

d. The participants thank the representative of the IOC's Medical Committee for attending and hope that such collaboration will continue actively within the context of these seminars and the Monitoring Group.

e. The participants are particularly grateful to both the CDDS for helping to organise this seminar and the Consejo Superior de Deportes for hosting and organising the seminar and for its warm hospitality in Madrid

Sprint Seminar on Sport and the Law
(Rome, Italy, 29-31 October 1997)

CONCLUSIONS (Extract)

The participants in the Sprint Seminar on "Sport and the law", held in Rome from 29 to 31 October 1997:

Considering that the seminar is a sequel and follow-up to the work already carried out in this field by the CDDS (Council of Europe Committee for the Development of Sport), especially at the seminars held in Malta and Paris, which have already influenced legislation in several member states of the CDDS;

Bearing in mind the main aims of the Council of Europe and the fundamental principles of the European Convention on Human Rights;

Encouraged by the Final Declaration adopted at the Second Summit of Heads of State and Government of the Member states of the Council of Europe, which recognises "the role of sport in promoting social integration, particularly among young people";

Aware of the legal issues increasingly implicit in sport, as well as the impact of legal instruments of the European institutions in this field;

adopt the following conclusions:

3. The combating of doping

They strongly emphasise the vital need for general harmonisation of rules to fight effectively against doping;

They point out that the different bodies campaigning against doping share the same goals, even if their methods sometimes differ;

They confirm that the Anti-Doping Convention remains highly topical and is an essential instrument for harmonisation;

They welcome the harmonisation work already undertaken by the Monitoring Group of the Anti-Doping Convention;

They also welcome the International Olympic Committee's action aimed at the adoption of a single common medical code for the whole Olympic movement; this will make for uniform application while respecting the independence of international federations and the specific characteristics of each sport;

They call on sports organisations to make an active contribution towards these harmonisation efforts, in particular by adopting regulations and procedures in line with the Convention's provisions and the Monitoring Group's recommendations as well as with the standards and rules of the International Olympic Committee;

Sprint Seminar on Anti-Doping Policies
(Sofia, Bulgaria, 8-10 October 1998)

CONCLUSIONS

More than 40 experts involved and experienced in anti-doping work, and representing 22 member states of the Committee for the Development of Sports (CDDS) met in Sofia in the framework of a Sprint Seminar organised by the Council of Europe in co-operation with the Bulgarian Committee for Youth, Physical Education and Sports and the Bulgarian National Commission for Doping Control. Other participants from Bulgaria, in particular from national sport organisations and weightlifting medical teams, also attended the seminar as "guest observers".

The Seminar was scheduled in four relatively autonomous sessions: the first two (entitled: "Consequences and risks using doping" and "Analytical methods to detect masking agents used in doping") were essentially scientific and analytical.

In Session III, the participants examined the non-sport use of prohibited substances, in particular by young people and children.

Session IV was organised as a round table on anti-doping policy. In this session, the work was based on the data collected by a preliminary questionnaire on the national anti-doping policy, in particular in Sprint countries.

The participants agreed on the following conclusions and recommendations:

1. Consequences and risks of using doping

   Doping is not only contrary to the values of sport and the principles for which it stands – such as fair play, equal chances, legal competition, healthy activity - but it also endangers the health and life of athletes. Sport must not endanger life.

   In fact, the use of doping agents can create several health problems for users. Side effects can appear such as androgenic, progestative, atherogenic, hepatic, psychological and psychiatric injuries, etc.

   Most of the side effects of using doping agents are well known. But the magnitude of risk after taking doping agents is not well known and any scientific work in this field would be appreciated. The participants asked for the support of scientific research to evaluate quantitatively the risks of adverse effects after using doping agents.

   Scientific effort and research should not disregard the masking agents. Some drugs which athletes are allowed to take could mask the use of doping agents affecting their pharmacokinetics. There are different ways of influencing and of masking the use of doping through other drugs: changing the plasma protein binding, increasing the metabolic rate of doping agents, or changing pH of urine and renal excretion. The organisations performing doping control should ask the athletes directly the reason for the use of drugs, which could mask the use of doping agents.

   Several examples have been observed of athletes using different non-pharmacological methods for masking the use of doping (substitution, dilution of the sample, etc.). To avoid any manipulation of the sample, all steps of the sample collection procedure should be perfectly implemented.

Neither masking agents nor methods should be under-estimated. Any flaw in the procedure of sampling could alter the test results.

Any failure to co-operate in the investigations or attempt to alter the sample collection for doping control or leaving the competition despite the convocation duly made shall be considered as a positive sample.

2. Analytical methods to detect masking agents used in doping

With modern benchtop instruments and personal computers, it is possible to detect most doping agents. For example, for several years the drugs black market offered to athletes the drug named "Carphedon". The underground information for this drug was that it was a stimulant but that specific post-effects for well-known stimulants like amphetamine had not been observed. The present investigations into this new stimulant Carphedon are the result of the policy of laboratories to improve current analytical methods and the inclusion of the new substances in the list of prohibited substances.

There is still a problem with peptides and glycoproteins such as GH and EPO. But a new analytical technique to test the isoelectric spectrum of this hormone has been developed. This technique is carried out on urine and requires three successive stages: preparation of the urine by ultrafiltration, separation by isoelectric focalisation and specific determination of the EPO by immunoblot. The preliminary results obtained have shown that the isoelectric profiles of natural EPO are different from those found in the urine of subjects who have undergone a treatment of recombining EPO. The technique must now be tested on a sufficient number of control subjects.

The use of High Resolution Mass Spectrometry (HRMS) opens up new perspectives. Compared to Low Resolution Mass Spectrometry, HRMS has a 100fold better sensitivity.

The confirmation of suspicious cases with androgenic anabolic steroids such as testosterone is performed with carbon isotope ratio mass spectrometry coupled with gas chromatography (GC/C/IRMS). Contrary to the indirect steroid profiling method, GC/C/IRMS is a direct method, which allows a differentiation between androgynous and synthesised steroids.

It was stressed that these new materials are very expensive (e.g. HRMS is about 400,000 US$). It is only used by 7 laboratories out of 25 accredited ones. Therefore, the cost aspect should be taken into account.

The laboratories should be encouraged and supported to conduct research on new drugs, which may be used by athletes as doping or masking agents.

The development and improvement of analytical methods and technological equipment and implementation of GLP (good laboratory practice) will contribute to the increasing reliability and effectiveness of laboratory work and successful running of the relevant scientific programmes.

3. Sport and non-sport use of prohibited substances by young people

The studies presented at the seminar confirm that the abuse of doping substances especially among young people represents a real scourge, which endangers their health.

The participants agreed that more scientific information is needed on this matter and suggested carrying out European surveys using proper methods to examine the use of doping substances outside sport.

They recalled that legislative measures should be developed to restrict the illegal trafficking, manufacturing, distribution and possession of doping substances.

It is necessary to control and monitor the activities of fitness and bodybuilding centres. Particular attention should be paid to the control of food supplements (so-called vitamins) which may produce negative effects.

The studies carried out on this matter show that young people are unaware, in most cases, of the risks of using doping agents. Therefore, an appropriate information and education strategy should be developed. Also the preparation and diffusion of scientific information is needed in order to counter the effects of underground literature.

The participants appeal to the Council of Europe to continue its support for their efforts in this matter. They are delighted with the setting up of a Multidisciplinary Group within the Council of Europe on the non-sport use of doping substances and are looking forward with great interest to the results of the work of this Group. They welcome as an additional step the seminar scheduled for June 1999 in Lisbon on the non-sport use of prohibited substances.

4. Anti-doping policy

The participants presented and examined the national anti-doping work in their respective countries.

They stressed that in those countries where there is not a special body for conducting doping control, such a body should be created. Each national doping policy should have an operational and a long-term strategic plan.

In the implementation of anti-doping policy, governmental sports, health and educational bodies and institutions should be involved and co-ordinated.

The participants underlined the importance of the responsibility of the athletes' entourage in the administration and the use of the doping substances by the athletes. In the interest of the fairness and effectiveness of the anti-doping fight, more effort should be made in implementing the Convention's provisions and the Monitoring Group's recommendations in this regard.

It was agreed that the fight against doping should be conducted on several fronts. It is not sufficient to have a programme just for controlling the use of doping. In fact, one of the determining factors in the fight against doping is the political willingness of the public authorities to make effective use of the laws which would allow them to investigate and seek out the people responsible, in particular, for producing and distributing doping substances.

Current events once again show the gravity of the situation and the real danger of doping for sport, the life of sports persons and in general for public health. These events have also shown that the fight against doping should move up a level.

Moreover all Parties to the Convention should focus more effort on the preventive aspects. Each national programme should contain a preventive side. More active and wide-reaching

promotional campaigns are needed with the participation of TV, radio, Internet, and supporting printed materials such as "pocket cards".

The doping control process should be conducted by professionals with specific qualifications.

The number of accredited laboratories is relatively limited. It was suggested that the Council of Europe could elaborate its own criteria for the accreditation of laboratories not being accredited by the IOC.

To achieve better results in the fight against doping in sports in all member states, the number of doping tests should be increased.

* * *

The participants warmly thanked the Bulgarian authorities in particular the Bulgarian Committee for Youth, Physical Education and Sports and the Bulgarian National Commission for Doping Control for hosting and organising the Seminar and for the generous hospitality which they received in Sofia.